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8 IN THE COURT OF APPEALS
9 OF THE STATE OF WASHINGTON
10 DIVISION II

11 IN RE THE PERSONAL RESTRAINT
12 PETITION OF:

13 COBA PALMER, JR.

14 Petitioner.

NO. 48323-8-II

STATE'S RESPONSE TO PERSONAL
RESTRAINT PETITION

15
16 A. ISSUES PERTAINING TO PERSONAL RESTRAINT PETITION:

- 17 1. Should the petition be dismissed as petitioner does not support his petition
18 with any evidence to support his claims?
19 2. Should the petition be dismissed because defendant was given the proper
20 credit for time served due to him?
21 3. Has defendant shown his plea constitutes a manifest injustice or one of the
22 categories covered by CrR 7.8?

23 B. STATUS OF PETITIONER:

24 Petitioner, Coba Palmer, Jr. ("defendant"), is restrained pursuant to Judgment and
25 Sentences entered in Pierce County Superior Cause Nos. 14-1-04764-1 (Appendix A) and

1 14-1-03795-5 (Appendix B). Defendant pled guilty in both cause numbers on July 27,
2 2015. Appendix A and B. In both judgments, the trial court specified that the credit for
3 time served is to be calculated by the Department of Corrections ("DOC"). Appendix A
4 and B. In both judgments, it expressly indicates that "the defendant shall receive credit for
5 time served prior to sentencing if that confinement was solely under this cause number.
6 RCW 9A.04.020." Appendix A and B.

7 Under Cause No. 14-1-04764-1, defendant pled guilty to three counts of residential
8 burglary and one count of theft in the first degree. Appendix C. Under Cause No. 14-1-
9 03795-5, defendant pled guilty to one count of residential burglary. Appendix D. In both
10 of his plea forms, the prosecuting attorney agreed that his sentence under these two cause
11 numbers could be run concurrently to each other. Appendix C and D. The State also
12 agreed to dismiss Cause No. 14-1-04571-1, a separate case where defendant was charged
13 with residential burglary and theft in the second degree. Appendix C and D. Cause No.
14 14-1-04571-1 was dismissed by later order of the court. Appendix E. Neither of the plea
15 forms referenced any other cause number. Appendix C and D. The trial court followed the
16 parties' recommendations and sentenced defendant to 63 months for each case, with the
17 sentences to be concurrent with each other. Appendix A and B. Neither judgment and
18 sentence referenced any other cause number. Appendix A and B.

19 In researching the State's response to defendant's petition, the State noted that he
20 was also charged in Pierce County District Court Cause No. 4ZC003022 with making a
21 false statement to a public servant. Defendant's petition does not reference this cause
22 number. Defendant plead guilty in this case on July 29, 2015. Appendix F. He was
23 sentenced to 364 days with 114 days suspended. Appendix F. The judgment lists his
24 credit for time served as 250 days. Appendix F.

1 Defendant was booked into jail on multiple occasions associated with multiple
2 cause numbers during the pendency of his many cases. The State believes the table below
3 accurately reflects defendant's bookings, but this also illustrates why the trial court leaves
4 the credit for time served calculations to the record specialists at DOC:

5 Booked	Released	Cause Nos.
6 9/23/14	9/26/14	14-1-03795-5
7 10/24/14	10/28/14	14-1-03795-5
8 11/14/14	11/19/14	4ZC003022 14-1-04571-1
9 11/24/14	7/30/15	4ZC003022 14-1-03795-5 14-1-04571-1 14-1-04764-1

13 Appendix G. The dates are further complicated because defendant was booked in and out
14 at different times and he might not have spent 24 hours in custody based on these times.

15 Appendix G

16 On October 26, 2015, defendant filed a motion to modify or correct his judgment
17 and sentence arguing that he did not receive the correct amount of credit for time served on
18 his sentences under both Cause Nos. 14-1-04764-1 and 14-1-03795-5. Appendix H. The
19 trial court denied defendant's motions. Appendix I and J. Defendant then filed a personal
20 restraint petition and a notice of appeal regarding the trial court's denial of his motions.

21 The State has no information to dispute defendant's claim of indigency.
22
23
24
25

1 C. ARGUMENT:

2 1. THE PETITION SHOULD BE DISMISSED AS IT IS UNSUPPORTED
3 BY ANY EVIDENCE.

4 Petitioner fails to provide any proof to support his petition. A petition must include
5 a statement of the facts upon which the claim of unlawful restraint is based and the
6 evidence available to support the factual allegations. RAP 16.7(a)(2); *In re PRP of*
7 *Williams*, 111 Wn.2d 353, 365, 759 P.2d 436 (1988). Affidavits, transcripts and clerk's
8 papers are readily available forms of evidence that a petitioner may employ to support his
9 claims. *Id.* at 364-365. A reference hearing is not a substitute for the petitioner's failure to
10 provide evidence to support his claims. As the Supreme Court stated, "the purpose of a
11 reference hearing is to resolve genuine factual disputes, not to determine whether the
12 petitioner actually has evidence to support his allegations." *In re PRP of Rice*, 118 Wn.2d
13 876, 886, 828 P.2d 1086 (1992). "Bald assertions and conclusory allegations will not
14 support the holding of a hearing," but the dismissal of the petition. *Rice*, at 886, *Williams*,
15 at 364-365. A petitioner must present evidence showing that his factual allegations are
16 based on more than speculation, conjecture, or inadmissible hearsay. *Rice*, at 886. Where
17 the record does not provide any facts or evidence on which to decide the issue and the
18 petition instead relies solely on conclusory allegations, a court should decline to determine
19 the validity of a personal restraint petition. *In re PRP Cook*, 114 Wn.2d 802, 813-14, 792
20 P.2d 506, 512 (1990)(citing *In Re Williams*, at 365).

22 In the present case, defendant argues that "[m]y global resolution was not credited
23 on all cause numbers according to plea agreement." PRP, page 3. Under grounds for
24 relief, he states, "Modification to Cause No. 14-1-04764-1 shall be ran concurrent on all
25 for the purpose of a global resolution." PRP, page 4. The State is unclear about exactly

1 what defendant's petition is alleging, but believes defendant does not agree with DOC's
2 calculation of credit for time served. The petition indicates that a Kite Response is
3 attached as an exhibit, which indicates he only had 3 days credit, but there is nothing
4 attached to the copy of the petition in the State's possession. PRP, page 3.

5 Based on this petition, the State is left to speculate about what defendant finds
6 objectionable with his sentence. Defendant does not provide copies of the jail
7 certifications showing his credit for time served. Defendant does not include any
8 declarations, either his own or from DOC records personnel, indicating what he believes
9 his credit should be or how he arrives at these calculations. Defendant does not provide
10 any other records or evidence to support his petition. The State has no information about
11 what the Pierce County Jail or DOC has calculated as to what defendant's credit for time
12 served is or ought to be. Even if the State had the kite response defendant's petition
13 references, this is not proof of how or why DOC has calculated defendant's credit for time
14 served as they have. Therefore, the State cannot respond to the petition.

16 The Court should decline to hear the petition as it is not based on any evidence.
17 The defendant has failed to produce a record for the court to review this petition and it
18 should be dismissed.

19 2. DEFENDANT'S MISDEMEANOR SENTENCE IS CONSECUTIVE TO
20 HIS FELONY SENTENCES.

21 Proceeding under the assumption that defendant's petition relates to his credit for
22 time served calculation, defendant's credit is correctly calculated.

23 Pursuant to RCW 9.92.080(3), whenever a person is convicted of two or more
24 offenses arising from separate and distinct acts, the sentences imposed therefor shall run
25 consecutively unless expressly ordered to be concurrent by the court. RCW 9.92.080(3).

1 Defendant's misdemeanor sentence, which was a separate crime (committed on a different
2 date, charged in a district court, and sentenced on a different date) from his felony
3 convictions, should run consecutively to his felony sentences. Because his sentences are
4 consecutive, he is not entitled to credit on both sentences as this would result in a multiple
5 award of the credit. *Stephens v. State*, 186 Wn. App. 553, 345 P.3d 870 (2015); *In re*
6 *Costello*, 131 Wn. App. 828, 830, 129 P.3d 827 (2006); *State v. Williams*, 59 Wn. App.
7 379, 796 P.2d 1301 (1990). The Sentencing Reform Act does not authorize giving credit
8 for time being served on other sentences. *State v. Watson*, 63 Wn. App. 854, 859, 822
9 P.2d 327 (1992).

11 Neither the judgement and sentences for defendant's felony convictions, nor his
12 judgment and sentence for his misdemeanor conviction, reference each other or order that
13 they should run concurrently. As the district court, which sentenced defendant last, did not
14 order its sentence to run concurrently with defendant's felony sentence, defendant is not
15 entitled to a concurrent sentence on his misdemeanor conviction. "The latest sentence
16 always prevails in its own concurrent or consecutive instruction relative to prior sentences.
17 A sentencing court has no authority to determine whether a current sentence shall run
18 consecutively to or concurrently with a sentence yet to be imposed in the future." *In re*
19 *Long*, 117 Wn.2d 292, 305, 815 P.2d 257, 263 (1991). The district court sentence did not
20 impose a concurrent sentence, so the sentences are consecutive under RCW 9.92.080(3).

22 Because defendant received a consecutive sentence on his misdemeanor conviction
23 and was being held in custody on this charge, in addition to his felony charges, his credit
24 was applied to his misdemeanor sentence rather than on all of his charges.

1 2. DEFENDANT ENTERED INTO A VALID PLEA AGREEMENT.

2 At the end of his petition, defendant argues that the Court should either modify his
3 judgment and sentence or vacate the entire plea deal. PRP, page 11. Defendant offers no
4 analysis or argument to support this request.

5 Pursuant to CrR 4.2(f), the court “shall allow a defendant to withdraw the
6 defendant’s plea of guilty whenever it appears that the withdrawal is necessary to correct a
7 manifest injustice. CrR 4.2(f). If the motion for withdrawal is made after judgment, the
8 motion is governed by CrR 7.8. CrR 4.2(f). Under CrR 7.8(b), defendant would have to
9 show he meets one of the 5 categories covered under the rule: 1) mistake; 2) newly
10 discovered evidence; 3) fraud; 4) judgment is void; or 5) any other reason justifying relief.
11 CrR 7.8(b). Defendants fails to cite any of these categories.

12 Beginning with CrR 4.2(f) and its standard of manifest injustice, the defendant has
13 the burden of showing that a manifest injustice—one that is “obvious, directly observable,
14 overt, [and] not obscure”—has occurred. *State v. Turley*, 149 Wn.2d 395, 398-99, 69 P.3d
15 338, 341 (2003) citing *State v. Taylor*, 83 Wn.2d 594, 596, 521 P.2d 699 (1974). A
16 manifest injustice occurs when (1) the defendant has been denied effective assistance of
17 counsel; (2) the defendant or one authorized by the defendant did not ratify the plea; (3) the
18 plea was involuntary; or (4) the prosecution breached the plea agreement. *State v.*
19 *Wakefield*, 130 Wn.2d 464, 472, 925 P.2d 183 (1996) citing *State v. Saas*, 118 Wn.2d 37,
20 42, 820 P.3d 505 (1991).

21 In this case, defendant does not meet any of the categories under CrR 7.8(b), nor
22 does he meet his burden of showing a manifest injustice. The plea agreement indicated
23 that defendant would be entitled to receive the credit for time served that he had earned.
24
25

Appendix C and D. Neither agreement states an actual number of days because it was

1 unknown what the jail certificates would say. In addition, credit for time served in a
2 standard plea bargain has a fixed legal meaning and the prosecution does not breach the
3 plea agreement when the defendant seeks to receive time on other sentences for which
4 there is no legal basis. *Watson*, 63 Wn. App. At 859-860. The trial court sentenced
5 defendant and indicated that he was entitled to the credit for time served as calculated by
6 DOC. Defendant is certainly entitled to the credit he is due, but as in *Costello*, he is not
7 entitled to double credit for committing double (or in this case triple) the amount of crimes.
8 If defendant disagrees with the calculation of credit for time served, this is not a basis for
9 withdrawing his guilty plea.
10

11 D. CONCLUSION:

12 Defendant's petition should be dismissed as he provided no evidence to support his
13 petition. Even with evidence, it appears that his sentence is legally correct as defendant's
14 misdemeanor sentence runs consecutively to his felony sentences. Defendant is not
15 entitled to withdraw his guilty plea. The State has not breached its plea agreement in this
16 case as the State recommended that defendant receive the credit for time served that is due
17 to him under the law.

18 The State respectfully requests this Court dismiss the defendant's petition.

19 DATED: February 3, 2016.

20 MARK LINDQUIST
21 Pierce County
22 Prosecuting Attorney

23 BRENT J. HYER
24 Deputy Prosecuting Attorney
25 WSB # 33338

1 Certificate of Service:

2 The undersigned certifies that on this day she delivered by U.S. mail or
3 ABC-LMI delivery to the petitioner true and correct copies of the document to
4 which this certificate is attached. This statement is certified to be true and
correct under penalty of perjury of the laws of the State of Washington. Signed
at Tacoma, Washington, on the date below.

5 2/4/16 [Signature]
Date Signature

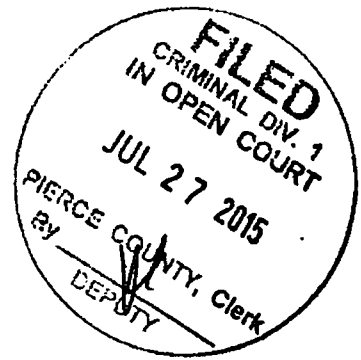
APPENDIX “A”

Judgment and Sentence

0178
77763
7/28/2015



Case Number: 14-1-04764-1 Date: February 3, 2015
SerialID: 503AC5EE-9C9C-4E0F-A4E76812964555AC
Certified By: Kevin Stock Pierce County Clerk, Washington



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO: 14-1-04764-1

vs.

COBA PALMER, JR,

Defendant

WARRANT OF COMMITMENT

- 1) ☐ County Jail
- 2) ☒ Dept. of Corrections
- 3) ☐ Other Custody

JUL 27 2015

THE STATE OF WASHINGTON TO THE DIRECTOR OF ADULT DETENTION OF PIERCE COUNTY:

WHEREAS, Judgment has been pronounced against the defendant in the Superior Court of the State of Washington for the County of Pierce, that the defendant be punished as specified in the Judgment and Sentence/Order Modifying/Revoking Probation/Community Supervision, a full and correct copy of which is attached hereto.

[] 1. YOU, THE DIRECTOR, ARE COMMANDED to receive the defendant for classification, confinement and placement as ordered in the Judgment and Sentence. (Sentence of confinement in Pierce County Jail).

X 2 YOU, THE DIRECTOR, ARE COMMANDED to take and deliver the defendant to the proper officers of the Department of Corrections; and

YOU, THE PROPER OFFICERS OF THE DEPARTMENT OF CORRECTIONS, ARE COMMANDED to receive the defendant for classification, confinement and placement as ordered in the Judgment and Sentence. (Sentence of confinement in Department of Corrections custody).

WARRANT OF
COMMITMENT -1

Office of Prosecuting Attorney
930 Tacoma Avenue S. Room 946
Tacoma, Washington 98402-2171
Telephone: (253) 798-7400

(+)

[] 3. YOU, THE DIRECTOR, ARE COMMANDED to receive the defendant for
classification, confinement and placement as ordered in the Judgment and Sentence.
(Sentence of confinement or placement not covered by Sections 1 and 2 above).

Dated: July 27, 15

By direction of the Honorable

[Signature]

JUDGE

KEVIN STOCK

CLERK

By:

Alyssa poster

DEPUTY CLERK

CERTIFIED COPY DELIVERED TO SHERIFF

JUL 27 2015

Alyssa poster

Deputy

STATE OF WASHINGTON

ss:

County of Pierce

I, Kevin Stock, Clerk of the above entitled
Court, do hereby certify that this foregoing
instrument is a true and correct copy of the
original now on file in my office.

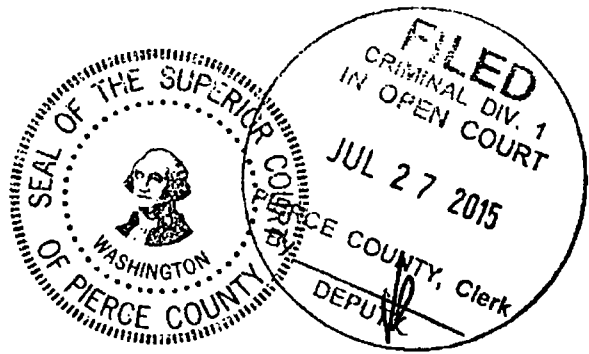
IN WITNESS WHEREOF, I hereunto set my
hand and the Seal of Said Court this

_____ day of _____

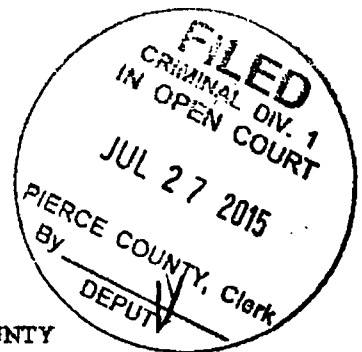
KEVIN STOCK, Clerk

By: _____ Deputy

bs



(+)



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff, CAUSE NO. 14-1-04764-1

vs.

JUDGMENT AND SENTENCE (JJS)

COBA PALMER, JR

Defendant

☒ Prison
[] RCW 9A.712A.94A.507 Prison Confinement
[] Jail One Year or Less
[] First-Time Offender
[] Special Sexual Offender Sentencing Alternative
[] Special Drug Offender Sentencing Alternative
[] Alternative to Confinement (ATC)
[] Clerk's Action Required, para 4.5 (SDOSA),
4.7 and 4.8 (SSOSA) 4.15.2, 5.3, 5.6 and 5.8
[] Juvenile Decline [] Mandatory [] Discretionary

SID: WA24552867
DOB: 10/09/1989

I. HEARING

1.1 A sentencing hearing was held and the defendant, the defendant's lawyer and the (deputy) prosecuting attorney were present.

II. FINDINGS

There being no reason why judgment should not be pronounced, the court FINDS:

2.1 CURRENT OFFENSE(S): The defendant was found guilty on July 15
2015
by [X] plea [] jury-verdict [] bench trial of:

COUNT	CRIME	RCW	ENHANCEMENT TYPE*	DATE OF CRIME	INCIDENT NO.
II	RESIDENTIAL BURGLARY (G12)	9A.52.025	NONE	11-14-2014	TACOMA PD 14-318-0576 14-318-0708 14-318-0760 14-318-0921 14-318-0976 14-318-1097

JUDGMENT AND SENTENCE (JS)
(Felony) (1/2007) Page 1 of 12

15-9-06801-7

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COUNT	CRIME	RCW	ENHANCEMENT TYPE*	DATE OF CRIME	INCIDENT NO.
III	THEFT IN THE FIRST DEGREE (J93)	9A.56.020(1)(C)	NONE	11-14-2014	TACOMA PD 14-318-0576 14-318-0708 14-318-0760 14-318-0921 14-318-0976 14-318-1097
IV	RESIDENTIAL BURGLARY (G12)	9A.52.025	NONE	11-14-2014	TACOMA PD 14-318-0576 14-318-0708 14-318-0760 14-318-0921 14-318-0976 14-318-1097
V	RESIDENTIAL BURGLARY (G12)	9A.52.025	NONE	11-14-2014	TACOMA PD 14-318-0576 14-318-0708 14-318-0760 14-318-0921 14-318-0976 14-318-1097

* (F) Firearm, (D) Other deadly weapons, (V) VUCSA in a protected zone, (VH) Veh. Horn, See RCW 46.61.520, (JP) Juvenile present, (SM) Sexual Motivation, (SCF) Sexual Conduct with a Child for a Fee. See RCW 9.94A.533(8). (If the crime is a drug offense, include the type of drug in the second column.)

as charged in the AMENDED Information

- [] Current offenses encompassing the same criminal conduct and counting as one crime in determining the offender score are (RCW 9.94A.589):
- [] Other current convictions listed under different cause numbers used in calculating the offender score are (list offense and cause number):

2.2 CRIMINAL HISTORY (RCW 9.94A.525):

	CRIME	DATE OF SENTENCE	SENTENCING COURT	DATE OF CRIME	A or J ADULT JUV	TYPE OF CRIME
1	MIP		FEDERAL WAY MUNICIPAL	04-28-2008	A	MISD
2	NVOL		TACOMA MUNICIPAL COURT	11-29-2008	A	MISD
3	CRIM TRESPASS 2		TACOMA MUNICIPAL COURT	12-05-2008	A	MISD
4	NVOL		DISTRICT COURT 1 (TACOMA)	07-03-2009	A	MISD
5	NO DRIV. LIC. ON PERSON		DISTRICT COURT 1 (TACOMA)	07-03-2009	A	MISD
6	RESIDENTIAL BURGLARY	03-17-2009	SUPERIOR CT - PIERCE CTY	03-29-2008	A	NV
7	MALICIOUS MISCHIEF IN THE THIRD DEGREE	07-31-2008	SUPERIOR CT - PIERCE CTY	05-29-2008	A	MISD

JUDGMENT AND SENTENCE (JS)
 (Felony) (7/2007) Page 2 of 12

8	ATTEMPTED RESIDENTIAL BURGLARY	03-17-2009	SUPERIOR CT - PIERCE CTY	01-02-2009	A	NV
9	TRAFF IN STLN PROP 2	03-11-2010	SUPERIOR CT - PIERCE CTY	05-20-2009	A	NV
10	ROBBERY 1	09-20-2010	SUPERIOR CT - PIERCE CTY	10-28-2009	A	V
11	141-03795-3 OTHER CURRENT RESIDENTIAL BURGLARY		SUPERIOR CT - PIERCE CTY	09-23-2014	A	NV

[] The court finds that the following prior convictions are one offense for purposes of determining the offender score (RCW 9.94A.525):

2.3 SENTENCING DATA:

COUNT NO.	OFFENDER SCORE	SERIOUSNESS LEVEL	STANDARD RANGE (not including enhancements)	PLUS ENHANCEMENTS	TOTAL STANDARD RANGE (including enhancements)	MAXIMUM TERM
II	13	IV	63-84 MONTHS	NONE	63-84 MONTHS	10 YRS
III	8	II	33-43 MONTHS	NONE	33-43 MONTHS	10 YRS
IV	13	IV	63-84 MONTHS	NONE	63-84 MONTHS	10 YRS
V	13	IV	63-84 MONTHS	NONE	63-84 MONTHS	10 YRS

2.4 [] EXCEPTIONAL SENTENCE. Substantial and compelling reasons exist which justify an exceptional sentence:

[] within [] below the standard range for Count(s) _____.

[] above the standard range for Count(s) _____.

[] The defendant and state stipulate that justice is best served by imposition of the exceptional sentence above the standard range and the court finds the exceptional sentence furthers and is consistent with the interests of justice and the purposes of the sentencing reform act.

[] Aggravating factors were [] stipulated by the defendant, [] found by the court after the defendant waived jury trial, [] found by jury by special interrogatory.

Findings of fact and conclusions of law are attached in Appendix 2.4. [] Jury's special interrogatory is attached. The Prosecuting Attorney [] did [] did not recommend a similar sentence.

2.5 ABILITY TO PAY LEGAL FINANCIAL OBLIGATIONS. The court has considered the total amount owing, the defendant's past, present and future ability to pay legal financial obligations, including the defendant's financial resources and the likelihood that the defendant's status will change. The court finds that the defendant has the ability or likely future ability to pay the legal financial obligations imposed herein. RCW 9.94A.753.

[] The following extraordinary circumstances exist that make restitution inappropriate (RCW 9.94A.753):

~~[]~~ The following extraordinary circumstances exist that make payment of nonmandatory legal financial obligations inappropriate:

4 13 indigent

2.6 [] FELONY FIREARM OFFENDER REGISTRATION. The defendant committed a felony firearm offense as defined in RCW 9A.101C.

[] The court considered the following factors:

JUDGMENT AND SENTENCE (JS)

(Felony) (7/2007) Page 3 of 12

- [] the defendant's criminal history.
[] whether the defendant has previously been found not guilty by reason of insanity of any offense in this state or elsewhere.
[] evidence of the defendant's propensity for violence that would likely endanger persons.
[] other: _____

[] The court decided the defendant [] should [] should not register as a felony firearm offender.

III. JUDGMENT

- 3.1 The defendant is GUILTY of the Counts and Charges listed in Paragraph 2.1.
3.2 [] The court DISMISSES Counts _____ [] The defendant is found NOT GUILTY of Counts _____

IV. SENTENCE AND ORDER

IT IS ORDERED:

- 4.1 Defendant shall pay to the Clerk of this Court: (Pierce County Clerk, 930 Tacoma Ave #110, Tacoma WA 98402)

JASS CODE

- RTN/RJN \$ TBD Restitution to: TBD
\$ _____ Restitution to: _____
(Name and Address--address may be withheld and provided confidentially to Clerk's Office).
PCV \$ 500.00 Crime Victim assessment
DNA \$ 100.00 DNA Database Fee
- PUB \$ waived Court-Appointed Attorney Fees and Defense Costs
FRC \$ 200.00 Criminal Filing Fee
FCM \$ _____ Fine

OTHER LEGAL FINANCIAL OBLIGATIONS (specify below)

\$ _____ Other Costs for: _____

\$ _____ Other Costs for: _____

- \$ 800.00 TOTAL

☒ The above total does not include all restitution which may be set by later order of the court. An agreed restitution order may be entered. RCW 9.94A.753. A restitution hearing:

[] shall be set by the prosecutor.

☒ is scheduled for 9/14/15

[] RESTITUTION. Order Attached

[] The Department of Corrections (DOC) or clerk of the court shall immediately issue a Notice of Payroll Deduction. RCW 9.94A.7602, RCW 9.94A.760(8).

JUDGMENT AND SENTENCE (JS)

(Felony) (7/2007) Page 4 of 12

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(+)

[X] All payments shall be made in accordance with the policies of the clerk, commencing immediately, unless the court specifically sets forth the rate herein: Not less than \$ per clerk per month commencing per clerk. RCW 9.94.760. If the court does not set the rate herein, the defendant shall report to the clerk's office within 24 hours of the entry of the judgment and sentence to set up a payment plan.

The defendant shall report to the clerk of the court or as directed by the clerk of the court to provide financial and other information as requested. RCW 9.94A.760(7)(b)

[] COSTS OF INCARCERATION. In addition to other costs imposed herein, the court finds that the defendant has or is likely to have the means to pay the costs of incarceration, and the defendant is ordered to pay such costs at the statutory rate. RCW 10.01.160.

COLLECTION COSTS The defendant shall pay the costs of services to collect unpaid legal financial obligations per contract or statute. RCW 35.18.190, 9.94A.780 and 19.16.500.

INTEREST The financial obligations imposed in this judgment shall bear interest from the date of the judgment until payment in full, at the rate applicable to civil judgments. RCW 10.82.090

COSTS ON APPEAL An award of costs on appeal against the defendant may be added to the total legal financial obligations. RCW 10.73.160.

4.1b **ELECTRONIC MONITORING-REIMBURSEMENT.** The defendant is ordered to reimburse _____ (name of electronic monitoring agency) at _____ for the cost of pretrial electronic monitoring in the amount of \$ _____.

4.2 [X] **DNA TESTING.** The defendant shall have a blood/biological sample drawn for purposes of DNA identification analysis and the defendant shall fully cooperate in the testing. The appropriate agency, the county or DOC, shall be responsible for obtaining the sample prior to the defendant's release from confinement. RCW 43.43.754.

[] **HIV TESTING.** The Health Department or designee shall test and counsel the defendant for HIV as soon as possible and the defendant shall fully cooperate in the testing. RCW 70.24.340.

4.3 **NO CONTACT**

The defendant shall not have contact with _____ (name, DOB) including, but not limited to, personal, verbal, telephonic, written or contact through a third party for _____ years (not to exceed the maximum statutory sentence).

[] Domestic Violence No-Contact Order, Antiharassment No-Contact Order, or Sexual Assault Protection Order is filed with this Judgment and Sentence.

4.4 **OTHER:** Property may have been taken into custody in conjunction with this case. Property may be returned to the rightful owner. Any claim for return of such property must be made within 90 days. After 90 days, if you do not make a claim, property may be disposed of according to law.

No contact with victims; pay restitution to be determined
pay legal financial obligations; evidence to be returned to
rightful owner;

(+)

4.4a ☐ All property is hereby forfeited

☒ Property may have been taken into custody in conjunction with this case. Property may be returned to the rightful owner. Any claim for return of such property must be made within 90 days. After 90 days, if you do not make a claim, property may be disposed of according to law.

4.4b BOND IS HEREBY EXONERATED

4.5 CONFINEMENT OVER ONE YEAR The defendant is sentenced as follows:

(a) CONFINEMENT. RCW 9.94A.589. Defendant is sentenced to the following term of total confinement in the custody of the Department of Corrections (DOC):

<u>63</u> months on Count	<u>II</u>	<u>63</u> months on Count	<u>V</u>
<u>43</u> months on Count	<u>III</u>	_____ months on Count	_____
<u>63</u> months on Count	<u>IV</u>	_____ months on Count	_____

Actual number of months of total confinement ordered is: 63 months

(Add mandatory firearm, deadly weapons, and sexual motivation enhancement time to run consecutively to other counts, see Section 2.3, Sentencing Data, above).

☐ The confinement time on Count(s) _____ contain(s) a mandatory minimum term of _____.

CONSECUTIVE/CONCURRENT SENTENCES. RCW 9.94A.589. All counts shall be served concurrently, except for the portion of those counts for which there is a special finding of a firearm, other deadly weapon, sexual motivation, VUCSA in a protected zone, or manufacture of methamphetamine with juvenile present as set forth above at Section 2.3, and except for the following counts which shall be served consecutively: _____

The sentence herein shall run consecutively to all felony sentences in other cause numbers imposed prior to the commission of the crime(s) being sentenced. The sentence herein shall run concurrently with felony sentences in other cause numbers imposed after the commission of the crime(s) being sentenced except for the following cause numbers. RCW 9.94A.589: Concurrent to 14-1-03795-5

Confinement shall commence immediately unless otherwise set forth here: _____

(c) The defendant shall receive credit for time served prior to sentencing if that confinement was solely under this cause number. RCW 9.94A.505. The time served shall be computed by the jail unless the credit for time served prior to sentencing is specifically set forth by the court: per DOC



46 [] COMMUNITY PLACEMENT (pre 7/1/00 offenses) is ordered as follows:

Count _____ for _____ months;

Count _____ for _____ months;

Count _____ for _____ months;

[] COMMUNITY CUSTODY (To determine which offenses are eligible for or required for community custody see RCW 9.94A.701)

The defendant shall be on community custody for:

Count(s) _____ 36 months for Serious Violent Offenses

Count(s) _____ 18 months for Violent Offenses

Count(s) _____ 12 months (for crimes against a person, drug offenses, or offenses involving the unlawful possession of a firearm by a street gang member or associate)

Note: combined term of confinement and community custody for any particular offense cannot exceed the statutory maximum. RCW 9.94A.701.

(B) While on community placement or community custody, the defendant shall: (1) report to and be available for contact with the assigned community corrections officer as directed; (2) work at DOC-approved education, employment and/or community restitution (service); (3) notify DOC of any change in defendant's address or employment; (4) not consume controlled substances except pursuant to lawfully issued prescriptions; (5) not unlawfully possess controlled substances while in community custody; (6) not own, use, or possess firearms or ammunition; (7) pay supervision fees as determined by DOC; (8) perform affirmative acts as required by DOC to confirm compliance with the orders of the court; (9) abide by any additional conditions imposed by DOC under RCW 9.94A.704 and .705 and (10) for sex offenses, submit to electronic monitoring if imposed by DOC. The defendant's residence location and living arrangements are subject to the prior approval of DOC while in community placement or community custody. Community custody for sex offenders not sentenced under RCW 9.94A.712 may be extended for up to the statutory maximum term of the sentence. Violation of community custody imposed for a sex offense may result in additional confinement.

The court orders that during the period of supervision the defendant shall:

[] consume no alcohol.

[] have no contact with: _____

[] remain [] within [] outside of a specified geographical boundary, to wit: _____

[] not serve in any paid or volunteer capacity where he or she has control or supervision of minors under 13 years of age

[] participate in the following crime-related treatment or counseling services: _____

[] undergo an evaluation for treatment for [] domestic violence [] substance abuse

[] mental health [] anger management and fully comply with all recommended treatment.

[] comply with the following crime-related prohibitions: _____

[] Other conditions: _____

(+)

[] For sentences imposed under RCW 9.94A.702, other conditions, including electronic monitoring, may be imposed during community custody by the Indeterminate Sentence Review Board, or in an emergency by DOC. Emergency conditions imposed by DOC shall not remain in effect longer than seven working days.

Court Ordered Treatment: If any court orders mental health or chemical dependency treatment, the defendant must notify DOC and the defendant must release treatment information to DOC for the duration of incarceration and supervision. RCW 9.94A.562.

PROVIDED: That under no circumstances shall the total term of confinement plus the term of community custody actually served exceed the statutory maximum for each offense

4.7 [] WORK ETHIC CAMP. RCW 9.94A.690, RCW 72.09.410 The court finds that the defendant is eligible and is likely to qualify for work ethic camp and the court recommends that the defendant serve the sentence at a work ethic camp. Upon completion of work ethic camp, the defendant shall be released on community custody for any remaining time of total confinement, subject to the conditions below. Violation of the conditions of community custody may result in a return to total confinement for the balance of the defendant's remaining time of total confinement. The conditions of community custody are stated above in Section 4.6.

4.8 OFF LIMITS ORDER (known drug trafficker) RCW 10.66.020 The following areas are off limits to the defendant while under the supervision of the County Jail or Department of Corrections:

V. NOTICES AND SIGNATURES

5.1 COLLATERAL ATTACK ON JUDGMENT. Any petition or motion for collateral attack on this Judgment and Sentence, including but not limited to any personal restraint petition, state habeas corpus petition, motion to vacate judgment, motion to withdraw guilty plea, motion for new trial or motion to arrest judgment, must be filed within one year of the final judgment in this matter, except as provided for in RCW 10.73.100. RCW 10.73.090.

5.2 LENGTH OF SUPERVISION. For an offense committed prior to July 1, 2000, the defendant shall remain under the court's jurisdiction and the supervision of the Department of Corrections for a period up to 10 years from the date of sentence or release from confinement, whichever is longer, to assure payment of all legal financial obligations unless the court extends the criminal judgment an additional 10 years. For an offense committed on or after July 1, 2000, the court shall retain jurisdiction over the offender, for the purpose of the offender's compliance with payment of the legal financial obligations, until the obligation is completely satisfied, regardless of the statutory maximum for the crime. RCW 9.94A.760 and RCW 9.94A.505. The clerk of the court is authorized to collect unpaid legal financial obligations at any time the offender remains under the jurisdiction of the court for purposes of his or her legal financial obligations. RCW 9.94A.760(4) and RCW 9.94A.753(4).

5.3 **NOTICE OF INCOME-WITHHOLDING ACTION.** If the court has not ordered an immediate notice of payroll deduction in Section 4 I, you are notified that the Department of Corrections or the clerk of the court may issue a notice of payroll deduction without notice to you if you are more than 30 days past due in monthly payments in an amount equal to or greater than the amount payable for one month. RCW 9.94A.7602. Other income-withholding action under RCW 9.94A may be taken without further notice. RCW 9.94A.760 may be taken without further notice. RCW 9.94A.7606.

5.4 **RESTITUTION HEARING.**

[] Defendant waives any right to be present at any restitution hearing (sign initials): CP

5.5 **CRIMINAL ENFORCEMENT AND CIVIL COLLECTION.** Any violation of this Judgment and Sentence is punishable by up to 60 days of confinement per violation. Per section 2.5 of this document, legal financial obligations are collectible by civil means. RCW 9.94A.634.

5.6 **FIREARMS.** You must immediately surrender any concealed pistol license and you may not own, use or possess any firearm unless your right to do so is restored by a court of record. (The court clerk shall forward a copy of the defendant's driver's license, identicard, or comparable identification to the Department of Licensing along with the date of conviction or commitment.) RCW 9A.41.040, 9A.41.047

5.7 **SEX AND KIDNAPPING OFFENDER REGISTRATION.** RCW 9A.44.130, 10.01.200.

N/A

5.8 [] The court finds that Court _____ is a felony in the commission of which a motor vehicle was used. The clerk of the court is directed to immediately forward an Abstract of Court Record to the Department of Licensing, which must revoke the defendant's driver's license. RCW 46.20.285.

5.9 If the defendant is or becomes subject to court-ordered mental health or chemical dependency treatment, the defendant must notify DOC and the defendant's treatment information must be shared with DOC for the duration of the defendant's incarceration and supervision. RCW 9.94A.562.

5.10 **OTHER:** _____

DONE in Open Court and in the presence of the defendant this date: _____

JUDGE

Print name

THOMAS P. LARKIN

Deputy Prosecuting Attorney

Print name:

DA Swain

WSB #

97844

Attorney for Defendant

Print name:

Donna K. White

WSB #

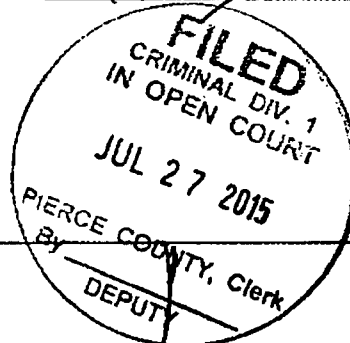
16124

Defendant

Print name:

Coba Palmer

JUDGMENT AND SENTENCE (JS)
(Felony) (7/2007) Page 9 of 12



Office of Prosecuting Attorney
930 Tacoma Avenue S. Room 946
Tacoma, Washington 98402-2171
Telephone: (253) 798-7400



Voting Rights Statement: I acknowledge that I have lost my right to vote because of this felony conviction. If I am registered to vote, my voter registration will be cancelled.

My right to vote is provisionally restored as long as I am not under the authority of DOC (not serving a sentence of confinement in the custody of DOC and not subject to community custody as defined in RCW 9.94A.030). I must re-register before voting. The provisional right to vote may be revoked if I fail to comply with all the terms of my legal financial obligations or an agreement for the payment of legal financial obligations.

My right to vote may be permanently restored by one of the following for each felony conviction: a) a certificate of discharge issued by the sentencing court, RCW 9.94A.637; b) a court order issued by the sentencing court restoring the right, RCW 9.92.066; c) a final order of discharge issued by the indeterminate sentence review board, RCW 9.96.050; or d) a certificate of restoration issued by the governor, RCW 9.96.020. Voting before the right is restored is a class C felony, RCW 29A.84.660. Registering to vote before the right is restored is a class C felony, RCW 29A.84.140.

Defendant's signature:

Cote Palm



CERTIFICATE OF CLERK

CAUSE NUMBER of this case: 14-1-04764-1

I, KEVIN STOCK Clerk of this Court, certify that the foregoing is a full, true and correct copy of the Judgment and Sentence in the above-entitled action now on record in this office.

WITNESS my hand and seal of the said Superior Court affixed this date: _____.

Clerk of said County and State, by: _____, Deputy Clerk

IDENTIFICATION OF COURT REPORTER

Court Reporter _____
CourtSmart

IDENTIFICATION OF DEFENDANT

SID No WA24552867
(If no SID take fingerprint card for State Patrol)

Date of Birth 10/09/1989

FBI No 320854CC1

Local ID No CHRI # 20081512006

PCN No 541304797

Other

Alias name, SSN, DOB:

Race:

☐ Asian/Pacific
Islander

☒ Black/African-
American

☐ Caucasian

☐ Native American

☐ Other: :

Ethnicity:

☐ Hispanic

☒ Non-
Hispanic

Sex:

☒ Male

☐ Female

FINGERPRINTS

Left four fingers taken simultaneously



Left Thumb



Right Thumb



Right four fingers taken simultaneously



I attest that I saw the same defendant who appeared in court on this document affix his or her fingerprints and
signature thereto. Clerk of the Court, Deputy Clerk, [Signature] Dated: 7/27/15

DEFENDANT'S SIGNATURE: Coleen Palmer

DEFENDANT'S ADDRESS: _____

State of Washington, County of Pierce ss: I, Kevin Stock, Clerk of the
aforementioned court do hereby certify that this foregoing instrument is
a true and correct copy of the original now on file in my office.
IN WITNESS WHEREOF, I herunto set my hand and the Seal of said
Court this 03 day of February, 2016



Kevin Stock, Pierce County Clerk

By /S/Kayley Carrillo, Deputy.

Dated: Feb 3, 2016 1:23 PM



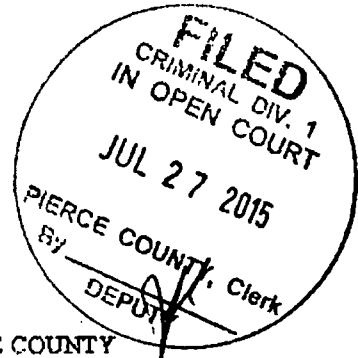
Instructions to recipient: If you wish to verify the authenticity of the certified document that was transmitted by the Court, sign on to:

<https://linxonline.co.pierce.wa.us/linxweb/Case/CaseFiling/certifiedDocumentView.cfm>,
enter SerialID: 503AC5EE-9C9C-4E0F-A4E76812964555AC.

This document contains 14 pages plus this sheet, and is a true and correct copy of the original that is of record in the Pierce County Clerk's Office. The copy associated with this number will be displayed by the Court.

APPENDIX “B”

Judgment and Sentence



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO: 14-1-03795-5

vs.

COBA PALMER, IV,

Defendant

WARRANT OF COMMITMENT

- 1) ☐ County Jail
2) ☒ Dept. of Corrections
3) ☐ Other Custody

JUL 27 2015

THE STATE OF WASHINGTON TO THE DIRECTOR OF ADULT DETENTION OF PIERCE COUNTY:

WHEREAS, Judgment has been pronounced against the defendant in the Superior Court of the State of Washington for the County of Pierce, that the defendant be punished as specified in the Judgment and Sentence/Order Modifying/Revoking Probation/Community Supervision, a full and correct copy of which is attached hereto.

[] 1. YOU, THE DIRECTOR, ARE COMMANDED to receive the defendant for classification, confinement and placement as ordered in the Judgment and Sentence. (Sentence of confinement in Pierce County Jail).

☒ 2. YOU, THE DIRECTOR, ARE COMMANDED to take and deliver the defendant to the proper officers of the Department of Corrections; and

YOU, THE PROPER OFFICERS OF THE DEPARTMENT OF CORRECTIONS, ARE COMMANDED to receive the defendant for classification, confinement and placement as ordered in the Judgment and Sentence. (Sentence of confinement in Department of Corrections custody).

WARRANT OF
COMMITMENT -1

Office of Prosecuting Attorney
930 Tacoma Avenue S. Room 946
Tacoma, Washington 98402-2171
Telephone: (253) 798-7400

[1 3. YOU, THE DIRECTOR, ARE COMMANDED to receive the defendant for
classification, confinement and placement as ordered in the Judgment and Sentence.
(Sentence of confinement or placement not covered by Sections 1 and 2 above).

Dated: 7.27.15

By direction of the Honorable

[Signature]
JUDGE

KEVIN STOCK

CLERK
By: Alyssa [Signature]
DEPUTY CLERK

CERTIFIED COPY DELIVERED TO SHERIFF

JUL 27 2015 By Alyssa [Signature] Deputy

STATE OF WASHINGTON

ss:

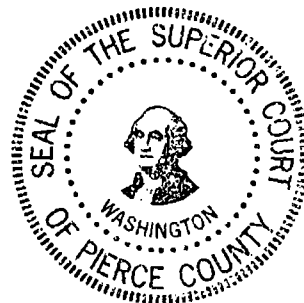
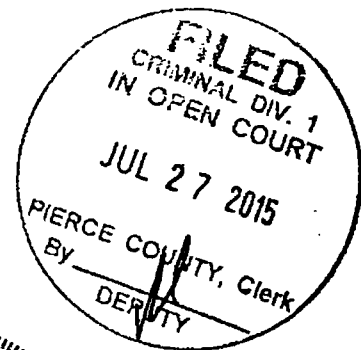
County of Pierce

I, Kevin Stock, Clerk of the above entitled
Court, do hereby certify that this foregoing
instrument is a true and correct copy of the
original now on file in my office.
IN WITNESS WHEREOF, I hereunto set my
hand and the Seal of Said Court this
_____ day of _____,

KEVIN STOCK, Clerk

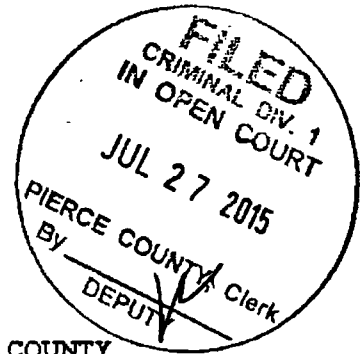
By: _____ Deputy

bs



WARRANT OF
COMMITMENT -2

Office of Prosecuting Attorney
930 Tacoma Avenue S. Room 946
Tacoma, Washington 98402-2171
Telephone: (253) 798-7400



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 14-1-03795-5

vs.

JUDGMENT AND SENTENCE (FJS)

COBA PALMER, IV

Defendant.

☒ Prison
[] RCW 9.94A.712/9.94A.507 Prison Confinement
[] Jail One Year or Less
[] First-Time Offender
[] Special Sexual Offender Sentencing Alternative
[] Special Drug Offender Sentencing Alternative
[] Alternative to Confinement (ATC)
[] Clerk's Action Required, para 4.5 (SDOSA),
4.7 and 4.8 (SSOSA) 4.15.2, 5.3, 5.6 and 5.8
[] Juvenile Decline [] Mandatory [] Discretionary

SID: WA24552867
DOB: 10/05/1989

I HEARING

1.1 A sentencing hearing was held and the defendant, the defendant's lawyer and the (deputy) prosecuting attorney were present.

II. FINDINGS

There being no reason why judgment should not be pronounced, the court FINDS:

2.1 CURRENT OFFENSE(S): The defendant was found guilty on July 15, 2015
by [X] plea [] jury-verdict [] bench trial of:

COUNT	CRIME	RCW	ENHANCEMENT TYPE*	DATE OF CRIME	INCIDENT NO.
I	RESIDENTIAL BURGLARY (G12)	9A.52.025	NONE	09/23/2014	TACOMA PD 14-266-0479

* (F) Firearm, (D) Other deadly weapons, (V) VUCSA in a protected zone, (VH) Veh. Horn, See RCW 45.61.520, (JP) Juvenile present, (SM) Sexual Motivation, (SCF) Sexual Conduct with a Child for a Fee. See RCW 9.94A.533(8). (If the crime is a drug offense, include the type of drug in the second column.)

as charged in the ORIGINAL Information

[] Current offenses encompassing the same criminal conduct and counting as one crime in determining the offender score are (RCW 9.94A.589):

JUDGMENT AND SENTENCE (JS)
(Felony) (1/2007) Page 1 of 11

#15-9-06800-9

Office of Prosecuting Attorney
930 Tacoma Avenue S. Room 946
Tacoma, Washington 98402-2171
Telephone: (253) 798-7400

[] Other current convictions listed under different cause numbers used in calculating the offender score are (list offense and cause number):

2.2 CRIMINAL HISTORY (RCW 9.94A.525):

	CRIME	DATE OF SENTENCE	SENTENCING COURT	DATE OF CRIME	A or J ADULT JUV	TYPE OF CRIME
1	MIP		FEDERAL WAY MUNICIPAL	04-28-2008	A	MISD
2	NVOL		TACOMA MUNICIPAL COURT	11-29-2008	A	MISD
3	CRIM TRESPASS 2		TACOMA MUNICIPAL COURT	12-05-2008	A	MISD
4	NVOL		DISTRICT COURT 1 (TACOMA)	07-03-2009	A	MISD
5	NO DRIV. LIC. ON PERSON		DISTRICT COURT 1 (TACOMA)	07-03-2009	A	MISD
6	RESIDENTIAL BURGLARY	03-17-2009	SUPERIOR CT - PIERCE CTY	03-29-2008	A	NV
7	MALICIOUS MISCHIEF IN THE THIRD DEGREE	07-31-2008	SUPERIOR CT - PIERCE CTY	05-29-2008	A	MISD
8	ATTEMPTED RESIDENTIAL BURGLARY	03-17-2009	SUPERIOR CT - PIERCE CTY	01-02-2009	A	NV
9	TRAFF IN STLN PROP 2	03-11-2010	SUPERIOR CT - PIERCE CTY	05-20-2009	A	NV
10	ROBBERY 1	09-20-2010	SUPERIOR CT - PIERCE CTY	10-28-2009	A	V
11	14-1-04764-1 OTHER CURRENT RESIDENTIAL BURGLARY		SUPERIOR CT - PIERCE CTY	11-14-2014	A	NV
12	14-1-04764-1 OTHER CURRENT THEFT 1		SUPERIOR CT - PIERCE CTY	11-14-2014	A	NV
13	14-1-04764-1 OTHER CURRENT RESIDENTIAL BURGLARY		SUPERIOR CT - PIERCE CTY	11-14-2014	A	NV
14	14-1-04764-1 OTHER CURRENT RESIDENTIAL BURGLARY		SUPERIOR CT - PIERCE CTY	11-14-2014	A	NV

[] The court finds that the following prior convictions are one offense for purposes of determining the offender score (RCW 9.94A.525):

2.3 SENTENCING DATA:

COUNT NO.	OFFENDER SCORE	SERIOUSNESS LEVEL	STANDARD RANGE (not including enhancements)	PLUS ENHANCEMENTS	TOTAL STANDARD RANGE (including enhancements)	MAXIMUM TERM
1	13	IV	63-84 MONTHS	NONE	63-84 MONTHS	10 YRS

2.4 ☐ **EXCEPTIONAL SENTENCE.** Substantial and compelling reasons exist which justify an exceptional sentence:

☐ within ☐ below the standard range for Count(s) _____

☐ above the standard range for Count(s) _____

☐ The defendant and state stipulate that justice is best served by imposition of the exceptional sentence above the standard range and the court finds the exceptional sentence furthers and is consistent with the interests of justice and the purposes of the sentencing reform act.

☐ Aggravating factors were ☐ stipulated by the defendant, ☐ found by the court after the defendant waived jury trial, ☐ found by jury by special interrogatory.

Findings of fact and conclusions of law are attached in Appendix 2.4. ☐ Jury's special interrogatory is attached. The Prosecuting Attorney ☐ did ☐ did not recommend a similar sentence.

2.5 **ABILITY TO PAY LEGAL FINANCIAL OBLIGATIONS.** The court has considered the total amount owing, the defendant's past, present and future ability to pay legal financial obligations, including the defendant's financial resources and the likelihood that the defendant's status will change. The court finds that the defendant has the ability or likely future ability to pay the legal financial obligations imposed herein. RCW 9.94A.753.

☐ The following extraordinary circumstances exist that make restitution inappropriate (RCW 9.94A.753):

☒ The following extraordinary circumstances exist that make payment of nonmandatory legal financial obligations inappropriate:

Δ 13 indigent

2.6 ☐ **FELONY FIREARM OFFENDER REGISTRATION** The defendant committed a felony firearm offense as defined in RCW 9A.1010.

☐ The court considered the following factors:

☐ the defendant's criminal history.

☐ whether the defendant has previously been found not guilty by reason of insanity of any offense in this state or elsewhere.

☐ evidence of the defendant's propensity for violence that would likely endanger persons.

☐ other: _____

☐ The court decided the defendant ☐ should ☐ should not register as a felony firearm offender.

III. JUDGMENT

3.1 The defendant is GUILTY of the Counts and Charges listed in Paragraph 2.1.

3.2 ☐ The court DISMISSES Counts _____ ☐ The defendant is found NOT GUILTY of Counts _____

JUDGMENT AND SENTENCE (JS)

(Felony) (7/2007) Page 3 of 11

Office of Prosecuting Attorney
930 Tacoma Avenue S. Room 946
Tacoma, Washington 98402-2171
Telephone: (253) 798-7400

IV. SENTENCE AND ORDER

IT IS ORDERED:

4.1 Defendant shall pay to the Clerk of this Court: (Pierce County Clerk, 930 Tacoma Ave #110, Tacoma WA 98402)

JASS CODE

RTNRJN

\$ TBD

Restitution to:

\$

Restitution to:

(Name and Address--address may be withheld and provided confidentially to Clerk's Office).

PCV

\$ 500.00 Crime Victim assessment

DNA

\$ 100.00 DNA Database Fee

- PUB

\$ waived Court-Appointed Attorney Fees and Defense Costs

FRC

\$ 200.00 Criminal Filing Fee

FCM

\$ Fine

OTHER LEGAL FINANCIAL OBLIGATIONS (specify below)

\$ Other Costs for:

\$ Other Costs for:

- \$ 800⁰⁰ TOTAL

☒ The above total does not include all restitution which may be set by later order of the court. An agreed restitution order may be entered. RCW 9.94A.753. A restitution hearing:

☐ shall be set by the prosecutor.

☒ is scheduled for 9/14/15

☐ RESTITUTION. Order Attached

☐ The Department of Corrections (DOC) or clerk of the court shall immediately issue a Notice of Payroll Deduction. RCW 9.94A.7602, RCW 9.94A.760(8).

☒ All payments shall be made in accordance with the policies of the clerk, commencing immediately, unless the court specifically sets forth the rate herein: Not less than \$ per clerk per month commencing per clerk. RCW 9.94.760. If the court does not set the rate herein, the defendant shall report to the clerk's office within 24 hours of the entry of the judgment and sentence to set up a payment plan.

The defendant shall report to the clerk of the court or as directed by the clerk of the court to provide financial and other information as requested. RCW 9.94A.760(7)(b)

☐ COSTS OF INCARCERATION. In addition to other costs imposed herein, the court finds that the defendant has or is likely to have the means to pay the costs of incarceration, and the defendant is ordered to pay such costs at the statutory rate. RCW 10.01.160.

COLLECTION COSTS The defendant shall pay the costs of services to collect unpaid legal financial obligations per contract or statute. RCW 36.18.190, 9.94A.780 and 19.16.500.

INTEREST The financial obligations imposed in this judgment shall bear interest from the date of the judgment until payment in full, at the rate applicable to civil judgments. RCW 10.82.090

COSTS ON APPEAL An award of costs on appeal against the defendant may be added to the total legal financial obligations. RCW. 10.73.160.

JUDGMENT AND SENTENCE (JS)

(Felony) (7/2007) Page 4 of 11

(+)

- 4.1b **ELECTRONIC MONITORING REIMBURSEMENT.** The defendant is ordered to reimburse _____ (name of electronic monitoring agency) at _____ for the cost of pretrial electronic monitoring in the amount of \$ _____.
- 4.2 ☒ **DNA TESTING.** The defendant shall have a blood/biological sample drawn for purposes of DNA identification analysis and the defendant shall fully cooperate in the testing. The appropriate agency, the county or DOC, shall be responsible for obtaining the sample prior to the defendant's release from confinement. RCW 43.43.754.
- ☐ **HIV TESTING.** The Health Department or designee shall test and counsel the defendant for HIV as soon as possible and the defendant shall fully cooperate in the testing. RCW 70.24.340.
- 4.3 **NO CONTACT**
- The defendant shall not have contact with _____ (name, DOB) including, but not limited to, personal, verbal, telephonic, written or contact through a third party for _____ years (not to exceed the maximum statutory sentence).
- ☐ Domestic Violence No-Contact Order, Antiharassment No-Contact Order, or Sexual Assault Protection Order is filed with this Judgment and Sentence.
- 4.4 **OTHER:** Property may have been taken into custody in conjunction with this case. Property may be returned to the rightful owner. Any claim for return of such property must be made within 90 days. After 90 days, if you do not make a claim, property may be disposed of according to law.
- | |
|---|
| No Contact with victims; pay restitution to be determined; pay legal financial obligations; forfeit interest in items in evidence |
| |
| |
| |
| |
| |
- 4.4a ☐ All property is hereby forfeited
- ☒ Property may have been taken into custody in conjunction with this case. Property may be returned to the rightful owner. Any claim for return of such property must be made within 90 days. After 90 days, if you do not make a claim, property may be disposed of according to law.
- 4.4b **BOND IS HEREBY EXONERATED**

(+)

4.5 **CONFINEMENT OVER ONE YEAR** The defendant is sentenced as follows:

(a) **CONFINEMENT**. RCW 9.94A.589. Defendant is sentenced to the following term of total confinement in the custody of the Department of Corrections (DOC):

63 months on Count I months on Count _____
_____ months on Count _____ months on Count _____
_____ months on Count _____ months on Count _____

Actual number of months of total confinement ordered is: 63 months
(Add mandatory firearm, deadly weapons, and sexual motivation enhancement time to run consecutively to other counts, see Section 2.3, Sentencing Data, above).

☐ The confinement time on Count(s) _____ contain(s) a mandatory minimum term of _____.
CONSECUTIVE/CONCURRENT SENTENCES. RCW 9.94A.589. All counts shall be served concurrently, except for the portion of those counts for which there is a special finding of a firearm, other deadly weapon, sexual motivation, VUCSA in a protected zone, or manufacture of methamphetamine with juvenile present as set forth above at Section 2.3, and except for the following counts which shall be served consecutively: _____

The sentence herein shall run consecutively to all felony sentences in other cause numbers imposed prior to the commission of the crime(s) being sentenced. The sentence herein shall run concurrently with felony sentences in other cause numbers imposed after the commission of the crime(s) being sentenced except for the following cause numbers. RCW 9.94A.589: Concurrent to 14-1-09764-1

Confinement shall commence immediately unless otherwise set forth here: _____

(c) The defendant shall receive credit for time served prior to sentencing if that confinement was solely under this cause number. RCW 9.94A.505. The time served shall be computed by the jail unless the credit for time served prior to sentencing is specifically set forth by the court: per Doc

4.6 ☐ **COMMUNITY PLACEMENT** (pre 7/1/00 offenses) is ordered as follows:

Count _____ for _____ months;

Count _____ for _____ months;

Count _____ for _____ months;

☐ **COMMUNITY CUSTODY** (To determine which offenses are eligible for or required for community custody see RCW 9.94A.701)

The defendant shall be on community custody for:

Count(s) _____ 36 months for Serious Violent Offenses

Count(s) _____ 18 months for Violent Offenses

Count(s) _____ 12 months (for crimes against a person, drug offenses, or offenses involving the unlawful possession of a firearm by a street gang member or associate)

JUDGMENT AND SENTENCE (JS)

(Felony) (7/2007) Page 6 of 11

Note: combined term of confinement and community custody for any particular offense cannot exceed the statutory maximum. RCW 9.94A.701.

(B) While on community placement or community custody, the defendant shall: (1) report to and be available for contact with the assigned community corrections officer as directed; (2) work at DOC-approved education, employment and/or community restitution (service); (3) notify DOC of any change in defendant's address or employment; (4) not consume controlled substances except pursuant to lawfully issued prescriptions; (5) not unlawfully possess controlled substances while in community custody; (6) not own, use, or possess firearms or ammunition; (7) pay supervision fees as determined by DOC; (8) perform affirmative acts as required by DOC to confirm compliance with the orders of the court; (9) abide by any additional conditions imposed by DOC under RCW 9.94A.704 and .706 and (10) for sex offenses, submit to electronic monitoring if imposed by DOC. The defendant's residence location and living arrangements are subject to the prior approval of DOC while in community placement or community custody. Community custody for sex offenders not sentenced under RCW 9.94A.712 may be extended for up to the statutory maximum term of the sentence. Violation of community custody imposed for a sex offense may result in additional confinement.

The court orders that during the period of supervision the defendant shall:

☐ consume no alcohol.

☐ have no contact with: _____

☐ remain ☐ within ☐ outside of a specified geographical boundary, to wit: _____

☐ not serve in any paid or volunteer capacity where he or she has control or supervision of minors under 13 years of age

☐ participate in the following crime-related treatment or counseling services: _____

☐ undergo an evaluation for treatment for ☐ domestic violence ☐ substance abuse

☐ mental health ☐ anger management and fully comply with all recommended treatment.

☐ comply with the following crime-related prohibitions: _____

☐ Other conditions: _____

☐ For sentences imposed under RCW 9.94A.702, other conditions, including electronic monitoring, may be imposed during community custody by the Indeterminate Sentence Review Board, or in an emergency by DOC. Emergency conditions imposed by DOC shall not remain in effect longer than seven working days.

Court Ordered Treatment: If any court orders mental health or chemical dependency treatment, the defendant must notify DOC and the defendant must release treatment information to DOC for the duration of incarceration and supervision. RCW 9.94A.562.

PROVIDED: That under no circumstances shall the total term of confinement plus the term of community custody actually served exceed the statutory maximum for each offense

- 4.7 ☐ WORK ETHIC CAMP. RCW 9.94A.690, RCW 72.09.410 The court finds that the defendant is eligible and is likely to qualify for work ethic camp and the court recommends that the defendant serve the sentence at a work ethic camp. Upon completion of work ethic camp, the defendant shall be released on community custody for any remaining time of total confinement, subject to the conditions below. Violation of the conditions of community custody may result in a return to total confinement for the balance of the

(+)

defendant's remaining time of total confinement. The conditions of community custody are stated above in Section 4.6.

- 4.8 **OFF LIMITS ORDER** (known drug trafficker) RCW 10.66.020 The following areas are off limits to the defendant while under the supervision of the County Jail or Department of Corrections: _____

V. NOTICES AND SIGNATURES

- 5.1 **COLLATERAL ATTACK ON JUDGMENT.** Any petition or motion for collateral attack on this Judgment and Sentence, including but not limited to any personal restraint petition, state habeas corpus petition, motion to vacate judgment, motion to withdraw guilty plea, motion for new trial or motion to arrest judgment, must be filed within one year of the final judgment in this matter, except as provided for in RCW 10.73.100. RCW 10.73.090.

- 5.2 **LENGTH OF SUPERVISION.** For an offense committed prior to July 1, 2000, the defendant shall remain under the court's jurisdiction and the supervision of the Department of Corrections for a period up to 10 years from the date of sentence or release from confinement, whichever is longer, to assure payment of all legal financial obligations unless the court extends the criminal judgment an additional 10 years. For an offense committed on or after July 1, 2000, the court shall retain jurisdiction over the offender, for the purpose of the offender's compliance with payment of the legal financial obligations, until the obligation is completely satisfied, regardless of the statutory maximum for the crime. RCW 9.94A.760 and RCW 9.94A.505. The clerk of the court is authorized to collect unpaid legal financial obligations at any time the offender remains under the jurisdiction of the court for purposes of his or her legal financial obligations. RCW 9.94A.760(4) and RCW 9.94A.753(4).

- 5.3 **NOTICE OF INCOME-WITHHOLDING ACTION.** If the court has not ordered an immediate notice of payroll deduction in Section 4.1, you are notified that the Department of Corrections or the clerk of the court may issue a notice of payroll deduction without notice to you if you are more than 30 days past due in monthly payments in an amount equal to or greater than the amount payable for one month. RCW 9.94A.7602. Other income-withholding action under RCW 9.94A may be taken without further notice. RCW 9.94A.760 may be taken without further notice. RCW 9.94A.7606.

- 5.4 **RESTITUTION HEARING.**

[] Defendant waives any right to be present at any restitution hearing (sign initials): CP

- 5.5 **CRIMINAL ENFORCEMENT AND CIVIL COLLECTION.** Any violation of this Judgment and Sentence is punishable by up to 60 days of confinement per violation. Per section 2.5 of this document, legal financial obligations are collectible by civil means. RCW 9.94A.634.

- 5.6 **FIREARMS.** You must immediately surrender any concealed pistol license and you may not own, use or possess any firearm unless your right to do so is restored by a court of record. (The court clerk shall forward a copy of the defendant's driver's license, identicard, or comparable identification to the Department of Licensing along with the date of conviction or commitment.) RCW 9.41.040, 9.41.047

- 5.7 **SEX AND KIDNAPPING OFFENDER REGISTRATION.** RCW 9A.44.130, 10.01.200.

N/A

- 5.8 [] The court finds that Count _____ is a felony in the commission of which a motor vehicle was used. The clerk of the court is directed to immediately forward an Abstract of Court Record to the Department of Licensing, which must revoke the defendant's driver's license. RCW 46.20.285.

JUDGMENT AND SENTENCE (JS)

(Felony) (7/2007) Page 8 of 11

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5.9 If the defendant is or becomes subject to court-ordered mental health or chemical dependency treatment, the defendant must notify DOC and the defendant's treatment information must be shared with DOC for the duration of the defendant's incarceration and supervision. RCW 9.94A.562.

5.10 OTHER: _____

DONE in Open Court and in the presence of the defendant this date: _____

JUDGE

Print name

THOMAS P. LARKIN

Deputy Prosecuting Attorney

Print name:

WSB #

Attorney for Defendant

Print name:

WSB #

Defendant

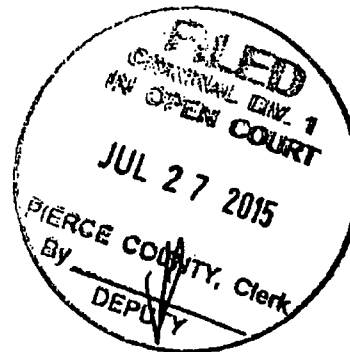
Print name:

Voting Rights Statement: I acknowledge that I have lost my right to vote because of this felony conviction. If I am registered to vote, my voter registration will be cancelled.

My right to vote is provisionally restored as long as I am not under the authority of DOC (not serving a sentence of confinement in the custody of DOC and not subject to community custody as defined in RCW 9.94A.030). I must re-register before voting. The provisional right to vote may be revoked if I fail to comply with all the terms of my legal financial obligations or an agreement for the payment of legal financial obligations.

My right to vote may be permanently restored by one of the following for each felony conviction: a) a certificate of discharge issued by the sentencing court, RCW 9.94A.537; b) a court order issued by the sentencing court restoring the right, RCW 9.92.066; c) a final order of discharge issued by the indeterminate sentence review board, RCW 9.96.050; or d) a certificate of restoration issued by the governor, RCW 9.96.020. Voting before the right is restored is a class C felony, RCW 29A.84.660. Registering to vote before the right is restored is a class C felony, RCW 29A.84.140.

Defendant's signature:





CERTIFICATE OF CLERK

CAUSE NUMBER of this case: 14-1-03795-5

I, KEVIN STOCK Clerk of this Court, certify that the foregoing is a full, true and correct copy of the Judgment and Sentence in the above-entitled action now on record in this office.

WITNESS my hand and seal of the said Superior Court affixed this date:

Clerk of said County and State, by: _____, Deputy Clerk

IDENTIFICATION OF COURT REPORTER

CourtSmart
Court Reporter

(+)

IDENTIFICATION OF DEFENDANT

SID No WA24552867
(If no SID take fingerprint card for State Patrol)

Date of Birth 10/05/1989

FBI No 320854CC1

Local ID No CHRI # 20081612008

PCN No 541272194

Other

Alias name, SSN, DOB:

Race: [] Asian/Pacific [X] Black/African-American [] Caucasian [] Hispanic [X] Male
[] Native American [] Other: [X] Non-Hispanic [] Female

FINGERPRINTS

Left four fingers taken simultaneously

Left Thumb



Right Thumb

Right four fingers taken simultaneously



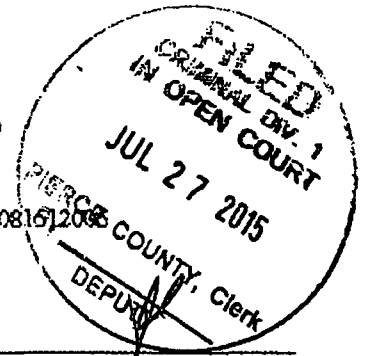
I attest that I saw the same defendant who appeared in court on this document affix his or her fingerprints and signature thereto. Clerk of the Court, Deputy Clerk, [Signature]

Dated: 7-27-15

DEFENDANT'S SIGNATURE:

[Signature]

DEFENDANT'S ADDRESS:



State of Washington, County of Pierce ss: I, Kevin Stock, Clerk of the
aforementioned court do hereby certify that this foregoing instrument is
a true and correct copy of the original now on file in my office.
IN WITNESS WHEREOF, I herunto set my hand and the Seal of said
Court this 03 day of February, 2016



Kevin Stock, Pierce County Clerk

By /S/Kayley Carrillo, Deputy.

Dated: Feb 3, 2016 1:23 PM



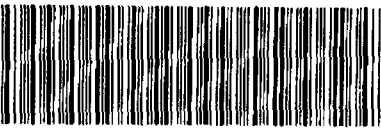
Instructions to recipient: If you wish to verify the authenticity of the certified document that was transmitted by the Court, sign on to:

<https://linxonline.co.pierce.wa.us/linxweb/Case/CaseFiling/certifiedDocumentView.cfm>,
enter SerialID: DB2AA490-BBDB-4415-BC2B697E5FF404F3.

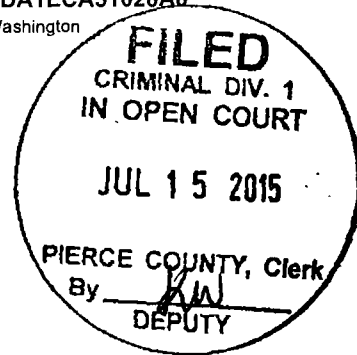
This document contains 13 pages plus this sheet, and is a true and correct copy of the original that is of record in the Pierce County Clerk's Office. The copy associated with this number will be displayed by the Court.

APPENDIX “C”

Guilty Plea



14-1-04764-1 45005425 STTDFG 07-16-15



**Superior Court of Washington
For Pierce County**

State of Washington

Plaintiff

vs.

COBA PALMER IV

Defendant

No. 14-1-04764-1

**Statement of Defendant on Plea of
Guilty to Non-Sex Offense
(STTDFG)**

1. My true name is: COBA PALMER IV
2. My age is: DOB 10/05/89
3. The last level of education I completed was 11th GED
4. **I Have Been Informed and Fully Understand That:**

(a) I have the right to representation by a lawyer and that if I cannot afford to pay for a lawyer, one will be provided at no expense to me. My lawyer's name is: DENISE K WHITLEY

(b) I am charged with the crime(s) of: THEFT 1, RES BURG, RES BURG, RES BURG,
as set out in the AMENDED Information, dated, 7/14/15, a copy of which I hereby
acknowledge previously receiving and reviewing with my lawyer. CP
(Defendant's initials) **X**

The elements of ☒ this crime ☐ these crimes
are as set out in the AMENDED Information, dated 7/14/15, a copy of which I hereby
acknowledge previously receiving and reviewing with my lawyer. CP
(Defendant's initials) **X**

X Additional counts are addressed in Attachment "B"

5. **I Understand I Have the Following Important Rights, and I Give Them Up by Pleading Guilty:**

- (a) The right to a speedy and public trial by an impartial jury in the county where the crime was allegedly committed;
- (b) The right to remain silent before and during trial, and the right to refuse to testify against myself;
- (c) The right at trial to hear and question the witnesses who testify against me;
- (d) The right at trial to testify and to have witnesses testify for me. These witnesses can be made to appear at no expense to me;
- (e) The right to be presumed innocent unless the State proves the charge beyond a reasonable doubt or I enter a plea of guilty;
- (f) The right to appeal a finding of guilt after a trial as well as other pretrial motions such as time for trial challenges and suppression issues.

6. **In Considering the Consequences of My Guilty Plea, I Understand That:**

- (a) Each crime with which I am charged carries a maximum sentence, a fine, and a **Standard Sentence Range** as follows:

COUNT NO.	OFFENDER SCORE	STANDARD RANGE ACTUAL CONFINEMENT (not including enhancements)	PLUS Enhancements*	COMMUNITY CUSTODY RANGE (Only applicable for crimes committed on or after July 1, 2000. For crimes committed prior to July 1, 2000, see paragraph 6(f).)	MAXIMUM TERM AND FINE
111	8	33-43	NA		10yrs\$20,000
2	9+	63-84	NA		10yrs\$20,000
4	9+	63-84	NA		10yrs\$20,000

*The sentencing enhancement codes are: (RPh) Robbery of a pharmacy, (CSG) Criminal street gang involving minor, (AE) Endangerment while attempting to elude. The following enhancements will run consecutively to all other parts of my entire sentence, including other enhancements and other counts: (F) Firearm, (D) Other deadly weapon, (V) VUCSA in protected zone, (JP) Juvenile present, (VH) Vehicular Homicide, see RCW 46.61.520, (SM) Sexual Motivation, RCW 9.94A.533(8), (SCF) Sexual conduct with a child for a fee, RCW 9.94A.533(9), (P16) Passenger(s) under age 16.

- (b) The standard sentence range is based on the crime charged and my criminal history. Criminal history includes prior convictions and juvenile adjudications or convictions, whether in this state, in federal court, or elsewhere.
- (c) The prosecuting attorney's statement of my criminal history is attached to this statement. Unless I have attached a different statement, I agree that the prosecuting attorney's statement is correct and complete. If I have attached my own statement, I assert that it is correct and complete. If the prosecutor and I disagree about the computation of the offender score, I understand that this dispute will be resolved by the court at sentencing. I

waive any right to challenge the acceptance of my guilty plea on the grounds that my offender score or standard range is lower than what is listed in paragraph 6(a). If I am convicted of any additional crimes between now and the time I am sentenced, I am obligated to tell the sentencing judge about those convictions.

- (d) If I am convicted of any new crimes before sentencing, or if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendation may increase. Even so, my plea of guilty to this charge is binding on me. I cannot change my mind if additional criminal history is discovered even though the standard sentencing range and the prosecuting attorney's recommendation increase or a mandatory sentence of life imprisonment without the possibility of parole is required by law.
- (e) In addition to sentencing me to confinement, the judge will order me to pay \$500.00 as a victim's compensation fund assessment and any mandatory fines or penalties that apply to my case. If this crime resulted in injury to any person or damage to or loss of property, the judge will order me to make restitution, unless extraordinary circumstances exist which make restitution inappropriate. The amount of restitution may be up to double my gain or double the victim's loss. The judge may also order that I pay a fine, court costs, attorney fees and the costs of incarceration.
- (f) **For crimes committed prior to July 1, 2000:** In addition to sentencing me to confinement, the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months. If the total period of confinement is more than 12 months, and if this crime is a drug offense, assault in the second degree, assault of a child in the second degree, or any crime against a person in which a specific finding was made that I or an accomplice was armed with a deadly weapon, the judge will order me to serve at least one year of community custody. If this crime is a vehicular homicide, vehicular assault, or a serious violent offense, the judge will order me to serve at least two years of community custody. The actual period of community custody may be longer than my earned early release period. During the period of community custody, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me.

For crimes committed on or after July 1, 2000: In addition to sentencing me to confinement, under certain circumstances the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months, but only if the crime I have been convicted of falls into one of the offense types listed in the following chart. For the offense of failure to register as a sex offender, regardless of the length of confinement, the judge will sentence me for up to 12 months of community custody. If the total period of confinement ordered is more than 12 months, and if the crime I have been convicted of falls into one of the offense types listed in the following chart, the court will sentence me to community custody for the term established for that offense type unless the judge finds substantial and compelling reasons not to do so. If the period of earned release awarded per RCW 9.94A.728 is longer, that will be the term of my community custody. If the crime I have been convicted of falls into more than one category of offense types listed in the following chart, then the community custody term will be based on the offense type that dictates the longest term of community custody.

OFFENSE TYPE	COMMUNITY CUSTODY TERM
Serious Violent Offenses as defined by RCW 9.94A.030(45)	36 months
Violent Offenses as defined by RCW 9.94A.030(54)	18 months
Crimes Against Persons as defined by RCW 9.94A.411(2)	12 months
Offenses under Chapter 69.50 or 69.52 RCW (not sentenced under RCW 9.94A.660)	12 months
Offenses involving the unlawful possession of a firearm where the offender is a criminal street gang member or associate	12 months

Certain sentencing alternatives may also include community custody.

During the period of community custody I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me, including additional conditions of community custody that may be imposed by the Department of Corrections. My failure to comply with these conditions will render me ineligible for general assistance, RCW 74.04.005(6)(h), and may result in the Department of Corrections transferring me to a more restrictive confinement status or other sanctions.

If I violate the conditions of my community custody, the Department of Corrections may sanction me up to 60 days confinement per violation and/or revoke my earned early release, or the Department of Corrections may impose additional conditions or other stipulated penalties. The court also has the authority to impose sanctions for any violation.

(g) *CTH* The prosecuting attorney will make the following recommendation to the judge:
CTH 3 MOS CT 2,4,5 63 MOS credit days served concurrent with 14-1-03795-5 no contact with victims, restitution for any lost or damaged property by loc. 200 costs, 500 cvpa, 400 dac, 100 dna. DNA test. State agrees not to file any charges out of Incident No. 143100648 which occurred on 11/6/14. *Dismiss 14-1-04571-1*

☐ The prosecutor will recommend as stated in the plea agreement, which is incorporated by reference.

(h) **The judge does not have to follow anyone's recommendation as to sentence.** The judge must impose a sentence within the standard range unless the judge finds substantial and compelling reasons not to do so. I understand the following regarding exceptional sentences:

- (i) The judge may impose an exceptional sentence below the standard range if the judge finds mitigating circumstances supporting an exceptional sentence.
- (ii) The judge may impose an exceptional sentence above the standard range if I am being sentenced for more than one crime and I have an offender score of more than nine.
- (iii) The judge may also impose an exceptional sentence above the standard range if

the State and I stipulate that justice is best served by imposition of an exceptional sentence and the judge agrees that an exceptional sentence is consistent with and in furtherance of the interests of justice and the purposes of the Sentencing Reform Act.

- (iv) The judge may also impose an exceptional sentence above the standard range if the State has given notice that it will seek an exceptional sentence, the notice states aggravating circumstances upon which the requested sentence will be based, and facts supporting an exceptional sentence are proven beyond a reasonable doubt to a unanimous jury, to a judge if I waive a jury, or by stipulated facts.

If the court imposes a standard range sentence, then no one may appeal the sentence. If the court imposes an exceptional sentence after a hearing, either the State or I can appeal the sentence.

- (i) **If I am not a citizen of the United States**, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.
- (j) **I may not possess, own, or have under my control any firearm, and under federal law any firearm or ammunition**, unless my right to do so is restored by the court in which I am convicted or the superior court in Washington State where I live, and by a federal court if required. I must immediately surrender any concealed pistol license.
- (k) I will be ineligible to vote until that right is restored in a manner provided by law. If I am registered to vote, my voter registration will be cancelled. Wash. Const. art. VI, § 3, RCW 29A.04.079, 29A.08.520. *See voting rights statute*
- (l) **Government assistance may be suspended** during any period of confinement.
- (m) **I will be required to have a biological sample collected** for purposes of DNA identification analysis. I will be required to pay a \$100.00 DNA collection fee.

Notification Relating to Specific Crimes: If any of the following paragraphs **DO NOT APPLY**, counsel and the defendant shall strike them out. The defendant and the judge shall initial all paragraphs that DO APPLY.

- ____ (n) ~~This offense is a most serious offense or "strike" as defined by RCW 9.94A.030, and if I have at least two prior convictions for most serious offenses, whether in this state, in federal court, or elsewhere, the crime for which I am charged carries a mandatory sentence of life imprisonment without the possibility of parole.~~
- ____ (o) ~~The judge may sentence me as a first-time offender instead of giving a sentence within the standard range if I qualify under RCW 9.94A.030. This sentence could include as much as 90 days' confinement and up to one year of community custody plus all of the conditions described in paragraph (e). Additionally, the judge could require me to undergo treatment, to devote time to a specific occupation, and to pursue a prescribed course of study or occupational training.~~

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- (p) The judge may sentence me under the **Parenting Sentencing Alternative** if I qualify under RCW 9.94A.655. If I am eligible, the judge may order DOC to complete either a risk assessment report or a chemical dependency screening report, or both. If the judge decides to impose the Parenting Sentencing Alternative, the sentence will consist of 12 months of community custody and I will be required to comply with the conditions imposed by the court and by DOC. At any time during community custody, the court may schedule a hearing to evaluate my progress in treatment or to determine if I have violated the conditions of the sentence. The court may modify the conditions of community custody or impose sanctions. If the court finds I violated the conditions or requirements of the sentence or I failed to make satisfactory progress in treatment, the court may order me to serve a term of total confinement within the standard range for my offense.
- (q) **If this crime involves kidnapping involving a minor**, including unlawful imprisonment involving a minor who is not my child, I will be required to register where I reside, study or work. The specific registration requirements are set forth in the "Offender Registration" Attachment. These requirements may change at a later date. I am responsible for learning about any changes in registration requirements and for complying with the new requirements.
- (r) **If this is a crime of domestic violence**, I may be ordered to pay a domestic violence assessment of up to \$100.00. If I, or the victim of the offense, have a minor child, the court may order me to participate in a domestic violence perpetrator program approved under RCW 26.50.150.
- (s) **If this crime involves prostitution, or a drug offense associated with hypodermic needles**, I will be required to undergo testing for the human immunodeficiency (HIV/AIDS) virus.
- (t) **The judge may sentence me under the drug offender sentencing alternative (DOSA)** if I qualify under RCW 9.94A.660. If I qualify and the judge is considering a residential chemical dependency treatment-based alternative, the judge may order that I be examined by DOC before deciding to impose a DOSA sentence. If the judge decides to impose a DOSA sentence, it could be either a prison-based alternative or a residential chemical dependency treatment-based alternative.
- If the judge imposes the **prison-based alternative**, the sentence will consist of a period of total confinement in a state facility for one-half of the midpoint of the standard range, or 12 months, whichever is greater. During confinement, I will be required to undergo a comprehensive substance abuse assessment and to participate in treatment. The judge will also impose a term of community custody of one-half of the midpoint of the standard range.
- If the judge imposes the **residential chemical dependency treatment-based alternative**, the sentence will consist of a term of community custody equal to one-half of the midpoint of the standard sentence range or two years, whichever is greater, and I will have to enter and remain in a certified residential chemical dependency treatment program for a period of *three to six months*, as set by the court.
- As part of this sentencing alternative, the court is required to schedule a progress hearing during the period of residential chemical dependency treatment and a treatment termination hearing scheduled three months before the expiration of the term of community custody. At either hearing, based upon reports by my treatment provider and the department of corrections on my compliance with treatment and monitoring requirements and

recommendations regarding termination from treatment, the judge may modify the conditions of my community custody or order me to serve a term of total confinement equal to one-half of the midpoint of the standard sentence range, followed by a term of community custody under RCW 9.94A.701.

During the term of community custody for either sentencing alternative, the judge could prohibit me from using alcohol or controlled substances, require me to submit to urinalysis or other testing to monitor that status, require me to devote time to a specific employment or training, stay out of certain areas, pay \$30.00 per month to offset the cost of monitoring and require other conditions, such as affirmative conditions, and the conditions described in paragraph 6(e). The judge, on his or her own initiative, may order me to appear in court at any time during the period of community custody to evaluate my progress in treatment or to determine if I have violated the conditions of the sentence. If the court finds that I have violated the conditions of the sentence or that I have failed to make satisfactory progress in treatment, the court may modify the terms of my community custody or order me to serve a term of total confinement within the standard range.

- ___ (u) If I am subject to community custody and the judge finds that I have a **chemical dependency** that has contributed to the offense, the judge may order me to participate in rehabilitative programs or otherwise to perform affirmative conduct reasonably related to the circumstances of the crime for which I am pleading guilty.
- ___ (v) If this crime involves the **manufacture, delivery, or possession with the intent to deliver methamphetamine**, including its salts, isomers, and salts of isomers, or amphetamine, including its salts, isomers, and salts of isomers, and if a fine is imposed, \$3,000 of the fine may not be suspended. RCW 69.50.401(2)(b).
- ___ (w) If this crime involves a **violation of the state drug laws**, my eligibility for state and federal food stamps, welfare, and education benefits may be affected. 20 U.S.C. § 1091(r) and 21 U.S.C. § 862a.
- ___ (x) I understand that RCW 46.20.285(4) requires that my driver's license be revoked if the judge finds I **used a motor vehicle in the commission of this felony**.
- ___ (y) If this crime involves the offense of **vehicular homicide** while under the influence of intoxicating liquor or any drug, as defined by RCW 46.61.502, committed on or after January 1, 1999, an additional two years shall be added to the presumptive sentence for vehicular homicide for each prior offense as defined in RCW 46.61.5055(14).
- ___ (z) If I am pleading guilty to **felony driving under the influence of intoxicating liquor or any drugs, or felony actual physical control of a motor vehicle** while under the influence of intoxicating liquor or any drug, in addition to the provisions of chapter 9.94A RCW, I will be required to undergo alcohol or chemical dependency treatment services during incarceration. I will be required to pay the costs of treatment unless the court finds that I am indigent. My driving privileges will be suspended, revoked or denied. Following the period of suspension, revocation or denial, I must comply with ignition interlock device requirements. In addition to any other costs of the ignition interlock device, I will be required to pay an additional fee of \$20 per month.

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- ____ (aa) For the crimes of vehicular homicide committed while under the influence of intoxicating liquor, or any drug defined by RCW 46.61.520 or for vehicular assault committed while under the influence of intoxicating liquor, or any drug as defined by RCW 46.61.522, or for any felony driving under the influence (RCW 46.61.502(6)), or felony physical control under the influence (RCW 46.61.504(6)), the court shall add 12 months to the standard sentence range for each child passenger under the age of 16 who is an occupant in the defendant's vehicle. These enhancements shall be mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions.
- ____ (bb) For the crimes of felony driving under the influence of intoxicating liquor, or any drug, for vehicular homicide while under the influence of intoxicating liquor, or any drug, the court may order me to reimburse reasonable emergency response costs up to \$2,500 per incident.
- ____ (cc) The crime of _____ has a mandatory minimum sentence of at least _____ years of total confinement. This law does not apply to crimes committed on or after July 24, 2005, by a juvenile who was tried as an adult after decline of juvenile court jurisdiction. The law does not allow any reduction of this sentence. This mandatory minimum sentence is not the same as the mandatory sentence of life imprisonment without the possibility of parole described in paragraph 6[n].
- ____ (dd) I am being sentenced for two or more serious violent offenses arising from separate and distinct criminal conduct and the sentences imposed on counts _____ and _____ will run consecutively unless the judge finds substantial and compelling reasons to do otherwise.
- ____ (ee) The offense(s) I am pleading guilty to include(s) a **Violation of the Uniform Controlled Substances Act in a protected zone enhancement or manufacture of methamphetamine when a juvenile was present** in or upon the premises of manufacture enhancement. I understand these enhancements are mandatory and that they must run consecutively to all other sentencing provisions.
- ____ (ff) The offense(s) I am pleading guilty to include(s) a **deadly weapon, firearm, or sexual motivation enhancement**. Deadly weapon, firearm, or sexual motivation enhancements are mandatory, they must be served in total confinement, and they must run consecutively to any other sentence and to any other deadly weapon, firearm, or sexual motivation enhancements.
- ____ (gg) I am pleading guilty to (1) **unlawful possession of a firearm(s) in the first or second degree and (2) felony theft of a firearm or possession of a stolen firearm**, I am required to serve the sentences for these crimes consecutively to one another. If I am pleading guilty to **unlawful possession of more than one firearm**, I must serve each of the sentences for unlawful possession consecutively to each other.
- ____ (hh) I may be required to register as a felony firearm offender under RCW 9A.41.330 and RCW 9A.41.333. The specific registration requirements are in the "Felony Firearm Offender Registration" Attachment.
- ____ (ii) If I am pleading guilty to the crime of **unlawful practices in obtaining assistance** as defined in RCW 74.08.331, no assistance payment shall be made for at least six months if this is my first conviction and for at least 12 months if this is my second or subsequent

conviction. This suspension of benefits will apply even if I am not incarcerated. RCW 74.08.290.

- ____ (jj) The judge may authorize **work ethic camp**. To qualify for work ethic authorization my term of total confinement must be more than twelve months and less than thirty-six months, I cannot currently be either pending prosecution or serving a sentence for violation of the uniform controlled substance act and I cannot have a current or prior conviction for a sex or violent offense. RCW 9.94A.690

7. I plead guilty to count(s) ~~2, 3, 4, 5~~ as charged in the AMENDED Information, dated 7/14/15 I have received a copy of that Information and reviewed it with my lawyer.
8. I make this plea freely and voluntarily.
9. No one has threatened harm of any kind to me or to any other person to cause me to make this plea.
10. No person has made promises of any kind to cause me to enter this plea except as set forth in this statement.
11. The judge has asked me to state what I did in my own words that makes me guilty of this crime. This is my statement:

CT III On Nov 14th 2014 I took property valued at more than \$5000 w/ the intent to deprive rightful owner of said property. This occurred in State of WA.

CT 41 V On Nov 14, 2014 in Tacoma WA I entered a dwelling of Deborah Norstrom, a S.I. Reddell of Michelle Ritting + Lois Uren on S. 67th - with the intent to commit a Theft, same date in Tacoma WA entered the dwelling of ANDRETTA NIN

☒ Instead of making a statement, I agree that the court may review the police reports and/or a statement of probable cause supplied by the prosecution to establish a factual basis for the plea.

12. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs and the "Offender Registration" and/or "Felony Firearm Offender Registration" Attachment, if applicable. I understand them all. I have been given a copy of this "Statement of Defendant on Plea of Guilty." I have no further questions to ask the judge.

John Pahn
Defendant

I have read and discussed this statement with the defendant. I believe that the defendant is competent and fully understands the statement.

DN Swain
Prosecuting Attorney
Print Name WSBA No. 47844

D. K. White
Defendant's Lawyer
Print Name WSBA No. 16126

The defendant signed the foregoing statement in open court in the presence of the defendant's lawyer and the undersigned judge. The defendant asserted that [check appropriate box]:

- ☐ (a) The defendant had previously read the entire statement above and that the defendant understood it in full;
- ☐ (b) The defendant's lawyer had previously read to him or her the entire statement above and that the defendant understood it in full; or
- ☐ (c) An interpreter had previously read to the defendant the entire statement above and that the defendant understood it in full. The Interpreter's Declaration is included below.

Interpreter's Declaration: I am a certified or registered interpreter, or have been found otherwise qualified by the court to interpret in the _____ language, which the defendant understands. I have translated and interpreted this document for the defendant from English into that language. I have no reason to believe that the defendant does not fully understand both the interpretation and the subject matter of this document. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____, on (date) _____.

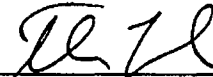
Interpreter

Print Name

I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. Defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.

Dated: _____

Judge



THOMAS P. LARKIN

Attachment A

VOTING RIGHTS STATEMENT:

RCW 10.64.140: After conviction of a felony, or entry of a plea of guilty to a felony, your right to vote is immediately revoked and any existing voter registration is cancelled. Pursuant to RCW 29A.08.520 after you have completed all periods of incarceration imposed as a sentence, and after all community custody is completed and you are discharged by the Department of Corrections (DOC), your voting rights are automatically restored on a provisional basis. You must then register to be permitted to vote.

Failure to pay legal financial obligations, or comply with an agreed upon payment plan for those obligations, can result in your provisional voting right being revoked by the court.

Your right to vote may be fully restored by:

- a) a certificate of discharge issued by the sentencing court (RCW 9.9A.637);
- b) a court order issued by the sentencing court restoring the right (RCW 9.92.066);
- c) a final order of discharge issued by the indeterminate sentence review board (RCW 9.96.050); or
- d) a certificate of restoration issued by the governor (RCW 9.96.020).

NOTICE: Voting before the right is either provisionally or fully restored is a class C felony (RCW 24A.84.660).

I acknowledge receipt and understanding of this information.

Defendant's signature: Robert Palm

Date

Case Name: COBA PALMER IV Cause No: 14-1-04764-1

ATTACHMENT "B"

4. (b) (continued) Defendant is pleading guilty to these additional counts:

Count 5 : RESIDENTIAL BURGLARY

Elements: _____

The crime carries a maximum sentence of 10yrs years imprisonment and a
\$ 20000 fine. The standard range is from 63 months to 84 months
based upon the attached stipulation as to my criminal history.

Offense Designations: Most Serious Offense ☐ Serious Violent ☐ Violent ☒ Non-
Violent ☐ Sex ☐ Drug ☐ Traffic ☐ (check all that apply)

Count : _____
Elements: _____

The crime carries a maximum sentence of _____ years imprisonment and a
\$ _____ fine. The standard range is from _____ months to _____ months
based upon the attached stipulation as to my criminal history.

Offense Designations: Most Serious Offense ☐ Serious Violent ☐ Violent ☐ Non-
Violent ☐ Sex ☐ Drug ☐ Traffic ☐ (check all that apply)

6. (b) (continued) Defendant is pleading guilty to these additional counts:

COUNT NO.	STANDARD RANGE ACTUAL CONFINEMENT (not including enhancements)	PLUS Enhancement for (F) Firearm, (D) Other Deadly Weapon, (V) VUCSA in protected zone, (VH) Vehicular Homicide, See RCW 46.61.520, or (JP) Juvenile Present	TOTAL ACTUAL CONFINEMENT (standard range including enhancements)	STANDARD RANGE COMMUNITY CUSTODY (Only applicable for crimes committed on or after July 1, 2000. For crimes committed prior to July 1, 2000, see paragraph 6(f))	MAXIMUM PENALTY
5	63-84	NA	63-84		10yrs\$20,000

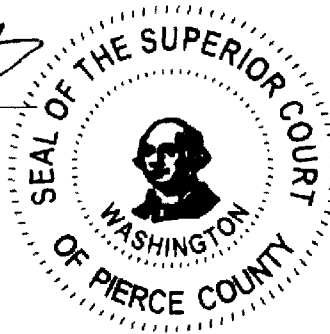
State of Washington, County of Pierce ss: I, Kevin Stock, Clerk of the
aforementioned court do hereby certify that this foregoing instrument is
a true and correct copy of the original now on file in my office.
IN WITNESS WHEREOF, I herunto set my hand and the Seal of said
Court this 03 day of February, 2016



Kevin Stock, Pierce County Clerk

By /S/Kayley Carrillo, Deputy.

Dated: Feb 3, 2016 1:23 PM



Instructions to recipient: If you wish to verify the authenticity of the certified document that was transmitted by the Court, sign on to:

<https://linxonline.co.pierce.wa.us/linxweb/Case/CaseFiling/certifiedDocumentView.cfm>,
enter SerialID: 0DBD5954-5FF2-470F-9C6DA1ECA31028A8.

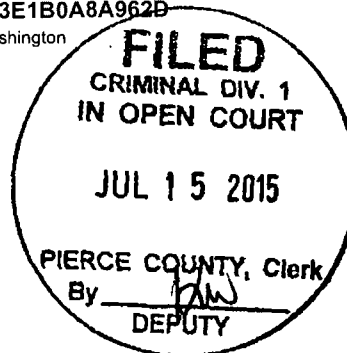
This document contains 12 pages plus this sheet, and is a true and correct copy of the original that is of record in the Pierce County Clerk's Office. The copy associated with this number will be displayed by the Court.

APPENDIX “D”

Guilty Plea



14-1-03795-5 45007550 STTDFG 07-16-15



**Superior Court of Washington
For Pierce County**

State of Washington

Plaintiff

vs.

COBA PALMER IV

Defendant

No. 14-1-03795-5

**Statement of Defendant on Plea of
Guilty to Non-Sex Offense
(STTDFG)**

1. My true name is: COBA PALMER IV
2. My age is: DOB 10/05/89
3. The last level of education I completed was GED
4. **I Have Been Informed and Fully Understand That:**
 - (a) I have the right to representation by a lawyer and that if I cannot afford to pay for a lawyer, one will be provided at no expense to me. My lawyer's name is: DENISE K WHITLEY
 - (b) I am charged with the crime(s) of: RESIDENTIAL BURGLARY
as set out in the ~~AMENDED~~ ORIGINAL Information, dated, 9/24/14 a copy of which I hereby acknowledge previously receiving and reviewing with my lawyer. X CP
(Defendant's initials)

The elements of ☒ this crime ☐ these crimes
are as set out in the AMENDED Information, dated _____ a copy of which I hereby
acknowledge previously receiving and reviewing with my lawyer. X CP
(Defendant's initials)

_____ Additional counts are addressed in Attachment "B"

5. **I Understand I Have the Following Important Rights, and I Give Them Up by Pleading Guilty:**

- (a) The right to a speedy and public trial by an impartial jury in the county where the crime was allegedly committed; ✓
- (b) The right to remain silent before and during trial, and the right to refuse to testify against myself; ✓
- (c) The right at trial to hear and question the witnesses who testify against me; ✓
- (d) The right at trial to testify and to have witnesses testify for me. These witnesses can be made to appear at no expense to me; ✓
- (e) The right to be presumed innocent unless the State proves the charge beyond a reasonable doubt or I enter a plea of guilty; ✓
- (f) The right to appeal a finding of guilt after a trial as well as other pretrial motions such as time for trial challenges and suppression issues. ✓

6. **In Considering the Consequences of My Guilty Plea, I Understand That:**

- (a) Each crime with which I am charged carries a maximum sentence, a fine, and a **Standard Sentence Range** as follows:

COUNT NO.	OFFENDER SCORE	STANDARD RANGE ACTUAL CONFINEMENT (not including enhancements)	PLUS Enhancements*	COMMUNITY CUSTODY RANGE (Only applicable for crimes committed on or after July 1, 2000. For crimes committed prior to July 1, 2000, see paragraph 6(f).)	MAXIMUM TERM AND FINE
1	9+	63-84MOS	NA		10yrs\$20,000
2					
3					

*The sentencing enhancement codes are: (RPh) Robbery of a pharmacy, (CSG) Criminal street gang involving minor, (AE) Endangerment while attempting to elude. The following enhancements will run consecutively to all other parts of my entire sentence, including other enhancements and other counts: (F) Firearm, (D) Other deadly weapon, (V) VUCSA in protected zone, (JP) Juvenile present, (VH) Vehicular Homicide, see RCW 46.61.520, (SM) Sexual Motivation, RCW 9.94A.533(8), (SCF) Sexual conduct with a child for a fee, RCW 9.94A.533(9), (P16) Passenger(s) under age 16.

- (b) The standard sentence range is based on the crime charged and my criminal history. Criminal history includes prior convictions and juvenile adjudications or convictions, whether in this state, in federal court, or elsewhere.
- (c) The prosecuting attorney's statement of my criminal history is attached to this statement. Unless I have attached a different statement, I agree that the prosecuting attorney's statement is correct and complete. If I have attached my own statement, I assert that it is correct and complete. If the prosecutor and I disagree about the computation of the offender score, I understand that this dispute will be resolved by the court at sentencing. I

waive any right to challenge the acceptance of my guilty plea on the grounds that my offender score or standard range is lower than what is listed in paragraph 6(a). If I am convicted of any additional crimes between now and the time I am sentenced, I am obligated to tell the sentencing judge about those convictions.

- (d) If I am convicted of any new crimes before sentencing, or if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendation may increase. Even so, my plea of guilty to this charge is binding on me. I cannot change my mind if additional criminal history is discovered even though the standard sentencing range and the prosecuting attorney's recommendation increase or a mandatory sentence of life imprisonment without the possibility of parole is required by law.
- (e) In addition to sentencing me to confinement, the judge will order me to pay \$500.00 as a victim's compensation fund assessment and any mandatory fines or penalties that apply to my case. If this crime resulted in injury to any person or damage to or loss of property, the judge will order me to make restitution, unless extraordinary circumstances exist which make restitution inappropriate. The amount of restitution may be up to double my gain or double the victim's loss. The judge may also order that I pay a fine, court costs, attorney fees and the costs of incarceration.
- (f) **For crimes committed prior to July 1, 2000:** In addition to sentencing me to confinement, the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months. ~~If the total period of confinement is more than 12 months, and if this crime is a drug offense, assault in the second degree, assault of a child in the second degree, or any crime against a person in which a specific finding was made that I or an accomplice was armed with a deadly weapon, the judge will order me to serve at least one year of community custody. If this crime is a vehicular homicide, vehicular assault, or a serious violent offense, the judge will order me to serve at least two years of community custody. The actual period of community custody may be longer than my earned early release period. During the period of community custody, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me.~~

For crimes committed on or after July 1, 2000: In addition to sentencing me to confinement, under certain circumstances the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months, but only if the crime I have been convicted of falls into one of the offense types listed in the following chart. For the offense of failure to register as a sex offender, regardless of the length of confinement, the judge will sentence me for up to 12 months of community custody. If the total period of confinement ordered is more than 12 months, and if the crime I have been convicted of falls into one of the offense types listed in the following chart, the court will sentence me to community custody for the term established for that offense type unless the judge finds substantial and compelling reasons not to do so. If the period of earned release awarded per RCW 9.94A.728 is longer, that will be the term of my community custody. If the crime I have been convicted of falls into more than one category of offense types listed in the following chart, then the community custody term will be based on the offense type that dictates the longest term of community custody.

OFFENSE TYPE	COMMUNITY CUSTODY TERM
Serious Violent Offenses as defined by RCW 9.94A.030(45)	36 months
Violent Offenses as defined by RCW 9.94A.030(54)	18 months
Crimes Against Persons as defined by RCW 9.94A.411(2)	12 months
Offenses under Chapter 69.50 or 69.52 RCW (not sentenced under RCW 9.94A.660)	12 months
Offenses involving the unlawful possession of a firearm where the offender is a criminal street gang member or associate	12 months

Certain sentencing alternatives may also include community custody.

During the period of community custody I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me, including additional conditions of community custody that may be imposed by the Department of Corrections. My failure to comply with these conditions will render me ineligible for general assistance, RCW 74.04.005(6)(h), and may result in the Department of Corrections transferring me to a more restrictive confinement status or other sanctions.

If I violate the conditions of my community custody, the Department of Corrections may sanction me up to 60 days confinement per violation and/or revoke my earned early release, or the Department of Corrections may impose additional conditions or other stipulated penalties. The court also has the authority to impose sanctions for any violation.

- (g) The prosecuting attorney will make the following recommendation to the judge:
63MOS credit days served concurrent with 14-1-04764-1 no contact with victims, restitution for any lost or damaged property by loc. 200 costs, 500 cvpa, 400 dac, 100 dna. DNA test. State agrees not to file any charges out of Incident No. 143100648 which occurred on 11/6/14.

Dennis 14-1-04571-1

☐ The prosecutor will recommend as stated in the plea agreement, which is incorporated by reference.

- (h) **The judge does not have to follow anyone's recommendation as to sentence.** The judge must impose a sentence within the standard range unless the judge finds substantial and compelling reasons not to do so. I understand the following regarding exceptional sentences:
- (i) The judge may impose an exceptional sentence below the standard range if the judge finds mitigating circumstances supporting an exceptional sentence.
 - (ii) The judge may impose an exceptional sentence above the standard range if I am being sentenced for more than one crime and I have an offender score of more than nine.
 - (iii) The judge may also impose an exceptional sentence above the standard range if

the State and I stipulate that justice is best served by imposition of an exceptional sentence and the judge agrees that an exceptional sentence is consistent with and in furtherance of the interests of justice and the purposes of the Sentencing Reform Act.

- (iv) The judge may also impose an exceptional sentence above the standard range if the State has given notice that it will seek an exceptional sentence, the notice states aggravating circumstances upon which the requested sentence will be based, and facts supporting an exceptional sentence are proven beyond a reasonable doubt to a unanimous jury, to a judge if I waive a jury, or by stipulated facts.

If the court imposes a standard range sentence, then no one may appeal the sentence. If the court imposes an exceptional sentence after a hearing, either the State or I can appeal the sentence.

- (i) **If I am not a citizen of the United States**, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.
- (j) **I may not possess, own, or have under my control any firearm, and under federal law any firearm or ammunition**, unless my right to do so is restored by the court in which I am convicted or the superior court in Washington State where I live, and by a federal court if required. I must immediately surrender any concealed pistol license.
- (k) I will be ineligible to vote until that right is restored in a manner provided by law. If I am registered to vote, my voter registration will be cancelled. Wash. Const, art. VI, § 3, RCW 29A.04.079, 29A.08.520. *see voting rights form*
- (l) **Government assistance may be suspended** during any period of confinement.
- (m) **I will be required to have a biological sample collected** for purposes of DNA identification analysis. I will be required to pay a \$100.00 DNA collection fee.

Notification Relating to Specific Crimes: If any of the following paragraphs **DO NOT APPLY**, counsel and the defendant shall strike them out. The defendant and the judge shall initial all paragraphs that DO APPLY.

- ____ (n) ~~This offense is a most serious offense or "strike" as defined by RCW 9.94A.030, and if I have at least two prior convictions for most serious offenses, whether in this state, in federal court, or elsewhere, the crime for which I am charged carries a mandatory sentence of life imprisonment without the possibility of parole.~~
- ____ (o) ~~The judge may sentence me as a first-time offender instead of giving a sentence within the standard range if I qualify under RCW 9.94A.030. This sentence could include as much as 90 days' confinement and up to one year of community custody plus all of the conditions described in paragraph (e). Additionally, the judge could require me to undergo treatment, to devote time to a specific occupation, and to pursue a prescribed course of study or occupational training.~~

0279
7/10/2015
7:03 PM
_____ (p) The judge may sentence me under the **Parenting Sentencing Alternative** if I qualify under RCW 9.94A.655. If I am eligible, the judge may order DOC to complete either a risk assessment report or a chemical dependency screening report, or both. ~~If the judge decides to impose the Parenting Sentencing Alternative, the sentence will consist of 12 months of community custody and I will be required to comply with the conditions imposed by the court and by DOC. At any time during community custody, the court may schedule a hearing to evaluate my progress in treatment or to determine if I have violated the conditions of the sentence. The court may modify the conditions of community custody or impose sanctions. If the court finds I violated the conditions or requirements of the sentence or I failed to make satisfactory progress in treatment, the court may order me to serve a term of total confinement within the standard range for my offense.~~

_____ (q) ~~If this crime involves kidnapping involving a minor, including unlawful imprisonment involving a minor who is not my child, I will be required to register where I reside, study or work. The specific registration requirements are set forth in the "Offender Registration" Attachment. These requirements may change at a later date. I am responsible for learning about any changes in registration requirements and for complying with the new requirements.~~

_____ (r) ~~If this is a crime of domestic violence, I may be ordered to pay a domestic violence assessment of up to \$100.00. If I, or the victim of the offense, have a minor child, the court may order me to participate in a domestic violence perpetrator program approved under RCW 26.50.150.~~

_____ (s) ~~If this crime involves prostitution, or a drug offense associated with hypodermic needles, I will be required to undergo testing for the human immunodeficiency (HIV/AIDS) virus.~~

_____ (t) **The judge may sentence me under the drug offender sentencing alternative (DOSA)** if I qualify under RCW 9.94A.660. If I qualify and the judge is considering a residential chemical dependency treatment-based alternative, the judge may order that I be examined by DOC before deciding to impose a DOSA sentence. If the judge decides to impose a DOSA sentence, it could be either a prison-based alternative or a residential chemical dependency treatment-based alternative.

If the judge imposes the **prison-based alternative**, the sentence will consist of a period of total confinement in a state facility for one-half of the midpoint of the standard range, or 12 months, whichever is greater. During confinement, I will be required to undergo a comprehensive substance abuse assessment and to participate in treatment. The judge will also impose a term of community custody of one-half of the midpoint of the standard range.

If the judge imposes the **residential chemical dependency treatment-based alternative**, the sentence will consist of a term of community custody equal to one-half of the midpoint of the standard sentence range or two years, whichever is greater, and I will have to enter and remain in a certified residential chemical dependency treatment program for a period of *three to six months*, as set by the court.

As part of this sentencing alternative, the court is required to schedule a progress hearing during the period of residential chemical dependency treatment and a treatment termination hearing scheduled three months before the expiration of the term of community custody. At either hearing, based upon reports by my treatment provider and the department of corrections on my compliance with treatment and monitoring requirements and

recommendations regarding termination from treatment, the judge may modify the conditions of my community custody or order me to serve a term of total confinement equal to one-half of the midpoint of the standard sentence range, followed by a term of community custody under RCW 9.94A.701.

During the term of community custody for either sentencing alternative, the judge could prohibit me from using alcohol or controlled substances, require me to submit to urinalysis or other testing to monitor that status, require me to devote time to a specific employment or training, stay out of certain areas, pay \$30.00 per month to offset the cost of monitoring and require other conditions, such as affirmative conditions, and the conditions described in paragraph 6(e). The judge, on his or her own initiative, may order me to appear in court at any time during the period of community custody to evaluate my progress in treatment or to determine if I have violated the conditions of the sentence. If the court finds that I have violated the conditions of the sentence or that I have failed to make satisfactory progress in treatment, the court may modify the terms of my community custody or order me to serve a term of total confinement within the standard range.

- _____ (u) If I am subject to community custody and the judge finds that I have a **chemical dependency** that has contributed to the offense, the judge may order me to participate in rehabilitative programs or otherwise to perform affirmative conduct reasonably related to the circumstances of the crime for which I am pleading guilty.
- _____ (v) If this crime involves the **manufacture, delivery, or possession with the intent to deliver methamphetamine**, including its salts, isomers, and salts of isomers, or amphetamine, including its salts, isomers, and salts of isomers, and if a fine is imposed, \$3,000 of the fine may not be suspended. RCW 69.50.401(2)(b).
- _____ (w) If this crime involves a **violation of the state drug laws**, my eligibility for state and federal food stamps, welfare, and education benefits may be affected. 20 U.S.C. § 1091(r) and 21 U.S.C. § 862a.
- _____ (x) I understand that RCW 46.20.285(4) requires that my driver's license be revoked if the judge finds **I used a motor vehicle in the commission of this felony**.
- _____ (y) If this crime involves the offense of **vehicular homicide** while under the influence of intoxicating liquor or any drug, as defined by RCW 46.61.502, committed on or after January 1, 1999, an additional two years shall be added to the presumptive sentence for vehicular homicide for each prior offense as defined in RCW 46.61.5055(14).
- _____ (z) If I am pleading guilty to **felony driving under the influence of intoxicating liquor or any drugs, or felony actual physical control** of a motor vehicle while under the influence of intoxicating liquor or any drug, in addition to the provisions of chapter 9.94A RCW, I will be required to undergo alcohol or chemical dependency treatment services during incarceration. I will be required to pay the costs of treatment unless the court finds that I am indigent. My driving privileges will be suspended, revoked or denied. Following the period of suspension, revocation or denial, I must comply with ignition interlock device requirements. In addition to any other costs of the ignition interlock device, I will be required to pay an additional; fee of \$20 per month.

- _____ (aa) For the crimes of vehicular homicide committed while under the influence of intoxicating liquor, or any drug defined by RCW 46.61.520 or for vehicular assault committed while under the influence of intoxicating liquor, or any drug as defined by RCW 46.61.522, or for any felony driving under the influence (RCW 46.61.502(6)), or felony physical control under the influence (RCW 46.61.504(6)), the court shall add 12 months to the standard sentence range for each child passenger under the age of 16 who is an occupant in the defendant's vehicle. These enhancements shall be mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions.
- _____ (bb) For the crimes of felony driving under the influence of intoxicating liquor, or any drug, for vehicular homicide while under the influence of intoxicating liquor, or any drug, the court may order me to reimburse reasonable emergency response costs up to \$2,500 per incident.
- _____ (cc) The crime of _____ has a mandatory minimum sentence of at least _____ years of total confinement. This law does not apply to crimes committed on or after July 24, 2005, by a juvenile who was tried as an adult after decline of juvenile court jurisdiction. The law does not allow any reduction of this sentence. This mandatory minimum sentence is not the same as the mandatory sentence of life imprisonment without the possibility of parole described in paragraph 6[n].
- _____ (dd) I am being sentenced for two or more serious violent offenses arising from separate and distinct criminal conduct and the sentences imposed on counts _____ and _____ will run consecutively unless the judge finds substantial and compelling reasons to do otherwise.
- _____ (ee) The offense(s) I am pleading guilty to include(s) a Violation of the Uniform Controlled Substances Act in a protected zone enhancement or manufacture of methamphetamine when a juvenile was present in or upon the premises of manufacture enhancement. I understand these enhancements are mandatory and that they must run consecutively to all other sentencing provisions.
- _____ (ff) The offense(s) I am pleading guilty to include(s) a deadly weapon, firearm, or sexual motivation enhancement. Deadly weapon, firearm, or sexual motivation enhancements are mandatory, they must be served in total confinement, and they must run consecutively to any other sentence and to any other deadly weapon, firearm, or sexual motivation enhancements.
- _____ (gg) I am pleading guilty to (1) unlawful possession of a firearm(s) in the first or second degree and (2) felony theft of a firearm or possession of a stolen firearm, I am required to serve the sentences for these crimes consecutively to one another. If I am pleading guilty to unlawful possession of more than one firearm, I must serve each of the sentences for unlawful possession consecutively to each other.
- _____ (hh) I may be required to register as a felony firearm offender under RCW 9A.41.330 and RCW 9A.41.333. The specific registration requirements are in the "Felony Firearm Offender Registration" Attachment.
- _____ (ii) If I am pleading guilty to the crime of unlawful practices in obtaining assistance as defined in RCW 74.08.331, no assistance payment shall be made for at least six months if this is my first conviction and for at least 12 months if this is my second or subsequent

conviction. This suspension of benefits will apply even if I am not incarcerated. RCW 74.08.290.

(jj) The judge may authorize ~~work ethic camp~~. To qualify for work ethic authorization my term of total confinement must be more than twelve months and less than thirty-six months, I cannot currently be either pending prosecution or serving a sentence for violation of the uniform controlled substance act and I cannot have a current or prior conviction for a sex or violent offense. RCW 9.94A.690

ORIGINAL

7. I plead guilty to count(s) 1 as charged in the ~~AMENDED~~ Information, dated 9/24/14. I have received a copy of that Information and reviewed it with my lawyer.

8. I make this plea freely and voluntarily.

9. No one has threatened harm of any kind to me or to any other person to cause me to make this plea.

10. No person has made promises of any kind to cause me to enter this plea except as set forth in this statement.

11. The judge has asked me to state what I did in my own words that makes me guilty of this crime. This is my statement:

On September 23, 2014 in Tacoma Washington I entered unlawfully into the residence of the Chung family on South Tyler with the intent to commit a crime against property to wit a theft.
x Cate Palm

☐ Instead of making a statement, I agree that the court may review the police reports and/or a statement of probable cause supplied by the prosecution to establish a factual basis for the plea.

12. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs and the "Offender Registration" and/or "Felony Firearm Offender Registration" Attachment, if applicable. I understand them all. I have been given a copy of this "Statement of Defendant on Plea of Guilty." I have no further questions to ask the judge.

Cate Palm
Defendant

I have read and discussed this statement with the defendant. I believe that the defendant is competent and fully understands the statement.

[Signature]
Prosecuting Attorney

Dan Swalm 47844
Print Name WSBA No.

[Signature] 16126
Defendant's Lawyer

Denise K Whitley 16126
Print Name WSBA No.

The defendant signed the foregoing statement in open court in the presence of the defendant's lawyer and the undersigned judge. The defendant asserted that [check appropriate box]:

- ☐ (a) The defendant had previously read the entire statement above and that the defendant understood it in full;
- ☐ (b) The defendant's lawyer had previously read to him or her the entire statement above and that the defendant understood it in full; or
- ☐ (c) An interpreter had previously read to the defendant the entire statement above and that the defendant understood it in full. The Interpreter's Declaration is included below.

Interpreter's Declaration: I am a certified or registered interpreter, or have been found otherwise qualified by the court to interpret in the _____ language, which the defendant understands. I have translated and interpreted this document for the defendant from English into that language. I have no reason to believe that the defendant does not fully understand both the interpretation and the subject matter of this document. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____, on (date) _____.

Interpreter

Print Name

I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. Defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.

Dated: _____

Judge

 **THOMAS P. LARKIN**

Attachment A

VOTING RIGHTS STATEMENT:

RCW 10.64.140: After conviction of a felony, or entry of a plea of guilty to a felony, your right to vote is immediately revoked and any existing voter registration is cancelled. Pursuant to RCW 29A.08.520 after you have completed all periods of incarceration imposed as a sentence, and after all community custody is completed and you are discharged by the Department of Corrections (DOC), your voting rights are automatically restored on a provisional basis. You must then register to be permitted to vote.

Failure to pay legal financial obligations, or comply with an agreed upon payment plan for those obligations, can result in your provisional voting right being revoked by the court.

Your right to vote may be fully restored by:

- a) a certificate of discharge issued by the sentencing court (RCW 9.9A.637);
- b) a court order issued by the sentencing court restoring the right (RCW 9.92.066);
- c) a final order of discharge issued by the indeterminate sentence review board (RCW 9.96.050); or
- d) a certificate of restoration issued by the governor (RCW 9.96.020).

NOTICE: Voting *before* the right is either provisionally or fully restored is a class C felony (RCW 2A.84.660).

I acknowledge receipt and understanding of this information.

Defendant's signature: X Cuba Dalm

Date

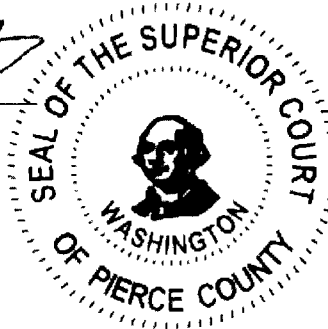
State of Washington, County of Pierce ss: I, Kevin Stock, Clerk of the
aforementioned court do hereby certify that this foregoing instrument is
a true and correct copy of the original now on file in my office.
IN WITNESS WHEREOF, I herunto set my hand and the Seal of said
Court this 03 day of February, 2016



Kevin Stock, Pierce County Clerk

By /S/Kayley Carrillo, Deputy.

Dated: Feb 3, 2016 1:23 PM



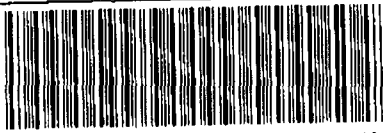
Instructions to recipient: If you wish to verify the authenticity of the certified document that was transmitted by the Court, sign on to:

<https://linxonline.co.pierce.wa.us/linxweb/Case/CaseFiling/certifiedDocumentView.cfm>,
enter SerialID: 770AA52E-CD6F-4119-95293E1B0A8A962D.

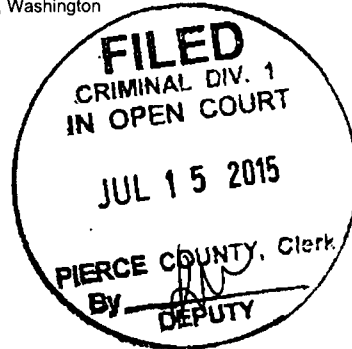
This document contains 11 pages plus this sheet, and is a true and correct copy of the original that is of record in the Pierce County Clerk's Office. The copy associated with this number will be displayed by the Court.

APPENDIX “E”

Dismissal



14-1-04571-1 45006803 ORDSMWP 07-16-15



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 14-1-04571-1

vs.

COBA PALMER, IV,

Defendant.

MOTION AND ORDER FOR
DISMISSAL WITH PREJUDICE

DOB: 10/05/89

SID #: WA24552867

MOTION

Comes now the plaintiff, herein, by its attorney, MARK LINDQUIST, Prosecuting Attorney for Pierce County, and moves the court for an order dismissing with prejudice the above entitled action, on the grounds and for the reason that the main perpetrator has already plead guilty and taken responsibility for the burglary; and the defendant is pleading guilty to other burglaries with which he was actively involved.

DATED: this 14th day of July, 2015

MARK LINDQUIST
Pierce County Prosecuting Attorney
by: [Signature]
APRIL D. MCCOMB
Deputy Prosecuting Attorney
WSB#: 11570

ORDER

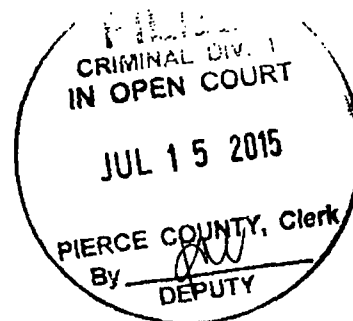
The above entitled matter having come on regularly for hearing on motion of MARK LINDQUIST, Prosecuting Attorney, and the Court being fully advised in the premises, it is hereby;

ORDERED that the above entitled action be and same is hereby dismissed with prejudice, bail is hereby exonerated. Property may have been taken into custody in conjunction with this case. Property may be returned to the rightful owner. Any claim for return of such property must be made within 90 days. After 90 days, if you do not make a claim, property may be disposed of according to law.

DATED the _____ day of July, 2015.


JUDGE

THOMAS P. LARKIN



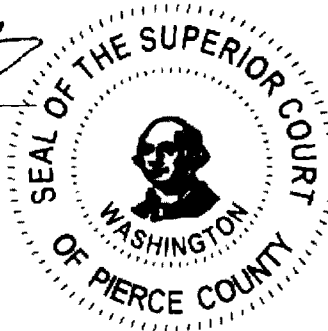
State of Washington, County of Pierce ss: I, Kevin Stock, Clerk of the
aforementioned court do hereby certify that this foregoing instrument is
a true and correct copy of the original now on file in my office.
IN WITNESS WHEREOF, I herunto set my hand and the Seal of said
Court this 03 day of February, 2016



Kevin Stock, Pierce County Clerk

By /S/Kayley Carrillo, Deputy.

Dated: Feb 3, 2016 1:23 PM



Instructions to recipient: If you wish to verify the authenticity of the certified document that was transmitted by the Court, sign on to:

<https://linxonline.co.pierce.wa.us/linxweb/Case/CaseFiling/certifiedDocumentView.cfm>,
enter **SerialID: EF435177-53D3-4CA9-B32BEC6091937540**.

This document contains 2 pages plus this sheet, and is a true and correct copy of the original that is of record in the Pierce County Clerk's Office. The copy associated with this number will be displayed by the Court.

APPENDIX “F”

Judgment and Sentence

Pierce County District Court

930 Tacoma Ave So, Room 239
Tacoma, WA 98402
(253) 798-7487

COURT ORDER

Page 1 of 2

PA/R9: Marica
Def by: DAC Hoggboom
☒ AOR ☐ Sidby ☐ DAC App'd ☐ Not eligible for DAC
Interpreter: _____

DEFENDANT PALMER, COBA JR		AKA	
ADDRESS		BIRTHDATE 10/05/1989	<input checked="" type="checkbox"/> In Custody <input type="checkbox"/> Taken Into Custody
CITY, STATE, ZIP		TELEPHONE #	Probable cause: <input type="checkbox"/> YES <input type="checkbox"/> NO

CASE NO.	CHARGE / SECTION	BAIL	AMENDED TO	CONVICTION BAC	DISPO	JAIL TIME	JAIL SUSP	TRIAL FOR BAIL	FINE / COSTS
1. 4ZC003022	FALSE STATEMNT TO PUBLIC	<u>release</u>			<u>G</u>	<u>364</u>	<u>114</u>	<u>250</u>	<u>2</u>
2.									
3.									
4.									
PIERCE COUNTY DISTRICT COURT, TACOMA, WASHINGTON									
5.									
6.	I, <u>Sandra M. Hoggboom</u> do hereby certify that this document is a full, true and correct copy of the original document on file in the above entitled court.								
7.									

JAIL TIME: ☒ CONSECUTIVE ☐ CONCURRENT ☐ 48 CONSECUTIVE HOURS ☐ JAIL RELEASE TO EHM STAFF ONLY.

PUBLIC DEFENDER (DAC): Defendant is to be screened for possible representation by a public defender.

☐ You are to report to the Superior Court Clerk's Office in Room 110 between 11:00 am and 2:30 pm ☐ TODAY ☐ Within 48 hrs of release.

BAIL

- ☐ Bail \$ _____ ☐ Cash or bond ☐ Cash only
☐ Bail bond / cash bail ☐ Reinstated ☐ Exonerated ☐ Remains
☐ Cash bail refunded to poster; retain \$ _____ as _____.

FINDINGS / AGREEMENTS

- ☐ A finding of guilt was entered and imposition of sentence was deferred until _____. Upon compliance with all conditions set forth: ☐ Vacate / Dismiss. ☐ Amend to _____. Upon non-compliance, return for sentencing.
☐ This matter is continued without a finding until _____. Upon compliance with all conditions set forth:
☐ Dismiss _____; ☐ Amend _____ to _____. Upon non-compliance, return for reading of the record and sentencing.
☐ DV pled and proved as to count(s) _____.

JAIL / ALTERNATIVES

- ☐ **JAIL: YOU MUST REPORT TO THE PIERCE COUNTY JAIL** on _____ at _____ AM / PM.
☐ **ALTERNATIVE JAIL FACILITY:** You must file proof of _____ day(s) of your sentence at ☐ Detox facility ☐ Alternative Jail Facility _____ (at defendant's expense) by above report to jail date; or, report to the Pierce County Jail on the above specified date/time.
☐ **WORK CREW / DAY REPORTING:** You must complete _____ days in lieu of jail time.
 Report to Probation ☐ TODAY ☐ Within 24 hours of release from jail.
☐ **COMMUNITY SERVICE:** You are ordered to complete _____ hours of community service in lieu of _____ days in jail.
 Report to Probation ☐ TODAY ☐ Within 24 hours of release from jail.
☐ Court - Monitored
☐ **ELECTRONIC HOME MONITORING (EHM):**
☐ You are ordered to be on pre-trial EHM ☐ with alcohol sensor; start by: _____.
☐ You are ordered to serve _____ days of your sentence on EHM ☐ with alcohol sensor; start by _____.
☐ You must file proof by _____ OR report to jail on _____ at _____ a.m. / p.m.
☐ Violation of EHM may result in issuance of bench warrant \$ _____ cash/bond.
☐ EHM to be removed today.

FINE/COSTS

- ☐ You must pay fine/costs of \$ _____ ☐ at \$ _____ per month starting _____ ☐ in full by: _____.
☐ You have been authorized for alternatives to payment of fine/costs – Report to Probation. If you do not report to Probation, you must comply with the payment plan as set forth above.
☐ Emergency Response costs payable to _____ in the amount of \$ _____.

7/29/2015

COURT

PROBATION / COURT SUPERVISION

- ☐ You are ordered to be on ☐ pretrial ☐ formal probation supervision until _____. ☐ Re-referral
 You must report to Probation ☐ Today ☐ Within 24 hours of release from jail ☐ UA's authorized
 You are responsible for filing proof, with Probation, that you have complied with all conditions set forth in this order.
☐ Probation to contact defendant in jail.
☐ Pretrial supervision terminated today. ☐ Formal probation terminated today.
☐ You are on court/bench supervision until _____.
 You are responsible for filing proof, with the court, that you have complied with all conditions set forth in this order.

YOU MUST COMPLY WITH THE FOLLOWING CONDITIONS OF RELEASE / SENTENCE:

- ☒ Have law abiding behavior, no similar incidents and no criminal violations of law.
☐ Do not drive a motor vehicle without a valid license and proof of insurance or financial responsibility.
☐ Do not drive a motor vehicle with a blood alcohol concentration in excess of .00.
☐ Do not consume or possess any alcohol. ☐ Have no alcohol or drug related incidents / offenses.
☐ Do not consume or possess any mind altering drugs not prescribed by a physician and do not possess any unlawful drug paraphernalia.
☐ Do not refuse a blood/breath/urine test if ordered by the court / probation or if requested by law enforcement or treatment provider.
☐ Have ignition interlock installed on any vehicle driven: ☐ per Department of Licensing ☐ for _____ year(s).
☐ Pretrial release condition – file proof of installation OR Declaration of Non-Driving by: _____.
☐ Attend _____ self help meetings per week, such as AA or NA, and provide proof by: _____.
☐ Complete _____ hours of community service as a condition of sentence by: _____. ☐ Report to Probation TODAY.
☐ File proof directly with court – must be completed at a non-profit agency with proof on agency letterhead, signed by a supervisor, and is subject to court approval.
☐ Have ☐ no contact ☐ no hostile contact with _____.
☐ Abide by all written no contact / protection orders. ☐ No Contact Order signed. ☐ No Contact Order rescinded.
☐ No possession of firearms. ☐ Surrender concealed weapons permit.
☐ DNA Sample by: _____.

YOU MUST COMPLETE THE FOLLOWING EVALUATION(S) / ASSESSMENT(S), COMPLY WITH ALL RECOMMENDED TREATMENT / FOLLOW-UP AND FILE MONTHLY TREATMENT STATUS REPORTS IF TREATMENT IS RECOMMENDED.

- Evaluation(s)/Assessment(s) for: ☐ Alcohol / Drug by: _____ ☐ Domestic Violence by: _____
☐ Anger Management by: _____ ☐ Mental Health by: _____
☐ Other: _____
☐ File proof of treatment enrollment by: _____.
☐ Comply with treatment ☐ File proof of treatment compliance by: _____.

YOU MUST ATTEND THE FOLLOWING CLASSES: IN PERSON ATTENDANCE REQUIRED

- ☐ Victim's Impact Panel: ☐ DUI ☐ DV – file proof by: _____.
☐ Alcohol / Drug Information School (ADIS) – file proof by: _____.
☐ Defensive Driving School – level/track _____ ☐ online authorized ☐ in person; file proof by: _____.
☐ Anger Management - file proof by: _____.
☐ Consumer Awareness - file proof by: _____.
☐ Parenting classes ☐ DV / ☐ Non DV – file proof by: _____.

OTHER: _____

YOU MUST RETURN TO COURT ON:

_____ at _____ for _____ in room _____
 _____ at _____ for _____ in room _____
 _____ at _____ for _____ in room _____

I understand I must do exactly what is ordered. I understand my failure to do so may result in a warrant being issued for my arrest and additional confinement and/or costs may be imposed.

I agree to notify the court of any change of address within 10 days of such change.

Cole Palmer

Defendant PALMER, COBA JR
 42C003022

DONE IN OPEN COURT: 7/29/2015

Lineberry / MAF
 JUDGE / JUDGE PRO TEM
 (839)

READ BACK OF PAGES

For additional information

COURT

APPENDIX “G”

Affidavit

1
2
3
4 IN THE COURT OF APPEALS
5 OF THE STATE OF WASHINGTON
6 DIVISION II

7 STATE OF WASHINGTON,

8 Respondent

NO. 48323-8-II

9
10 v.

AFFIDAVIT OF BRENT J. HYER

11 COBA PALMER, JR.

12
13 Appellant.

14
15 STATE OF WASHINGTON)

: ss.

16 COUNTY OF PIERCE)

17 The undersigned, being first duly sworn upon oath, deposes and says:

18 1. I am an attorney licensed to practice in the State of Washington and currently
19 employed by the Pierce County Prosecutor's Office.

20 2. I am the deputy assigned to work on the response brief in this matter.

21 3. Pierce County, including, but not limited to the prosecutor's office, jail, and
22 courts, use a computer system called the Legal Information Network Exchange ("LINX") for
23 court cases. I am an authorized user of LINX and have been instructed on how to use it.
24
25

4. I researched defendant's cases in LINX to respond to his petition. According to LINX, defendant has been booked into jail approximately 12 times. Exhibit A. These bookings are either under the name Coba Palmer, Jr. or Coba Palmer, IV. Regardless of the name, his fingerprints would have been verified and confirmed during the booking process.

5. On 9/23/14, defendant was booked into custody under Cause No. 14-1-03795-5. Exhibit B. He was released on 9/26/14. Exhibit A.

6. On 10/24/2014, defendant was again booked into custody under Cause No. 14-1-03795-5. Exhibit C. He was released on 10/28/2014. Exhibit A.

7. On 11/14/2014, defendant was booked into custody under Cause Nos. 4ZC003022 and 14-1-04571-1. Exhibit D. He was released on 11/19/2014. Exhibit A.

8. On 11/24/2014, defendant was booked into custody under Cause Nos. 4ZC003022, 14-1-03795-5, 14-1-04571-1 and 14-1-04764-1. Exhibit E. He was released on 7/30/2015. Exhibit A.

Further your affiant sayeth naught.

BRENT J. HYER

SUBSCRIBED AND SWORN to before me this 3rd day of February, 2016.

NOTARY PUBLIC, in and for the
State of Washington, residing
at _____
My Commission Expires: _____

Certificate of Service:
The undersigned certifies that on this day she delivered by U.S. mail or ABC-LMI delivery to the attorney of record for the appellant and appellant c/o his or her attorney or to the attorney of record for the respondent and respondent c/o his or her attorney true and correct copies of the document to which this certificate is attached. This statement is certified to be true and correct under penalty of perjury of the laws of the State of Washington. Signed at Tacoma, Washington, on the date below.

Date _____ Signature _____

1 4. I researched defendant's cases in LINX to respond to his petition. According
2 to LINX, defendant has been booked into jail approximately 12 times. Exhibit A. These
3 bookings are either under the name Cobra Palmer, Jr. or Cobra Palmer, IV. Regardless of the
4 name, his fingerprints would have been verified and confirmed during the booking process.

5 5. On 9/23/14, defendant was booked into custody under Cause No. 14-1-03795-
6 5. Exhibit B. He was released on 9/26/14. Exhibit A.

7 6. On 10/24/204, defendant was again booked into custody under Cause No. 14-
8 1-03795-5. Exhibit C. He was released on 10/28/2014. Exhibit A.

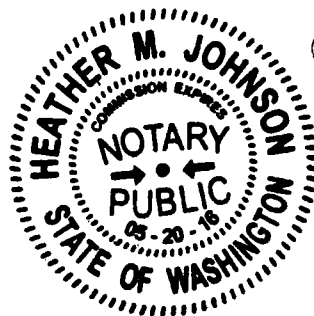
9 7. On 11/14/2014, defendant was booked into custody under Cause Nos.
10 4ZC003022 and 14-1-04571-1. Exhibit D. He was released on 11/19/2014. Exhibit A.

11 8. On 11/24/2014, defendant was booked into custody under Cause Nos.
12 4ZC003022, 14-1-03795-5, 14-1-04571-1 and 14-1-04764-1. Exhibit E. He was released on
13 7/30/2015. Exhibit A.

14
15 Further your affiant sayeth naught.

16
17 
BRENT J. HYER

18 SUBSCRIBED AND SWORN to before me this ^{4th}~~3rd~~ day of February, 2016.



26 
NOTARY PUBLIC, in and for the

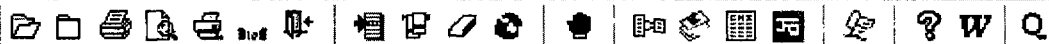
State of Washington, residing

at Prigallup, Wa

My Commission Expires: 5/20/16

APPENDIX “A”

File Edit Data Window View Help



Person PALMER, JR, COBA (3615790)

11/24/14 14:28

2014328030



PALMER, JR, COBA

Booking Id: 2014328030

Dob: 10/05/1989

Cell: NIC

Person Cases Probation Officers Proceedings PSI's Bookings

Booking Number	Person Name	Booking Date/Time	Release Date/Time	Cell
2014318030	PALMER, IV, COBA	11/14/14 16:48	11/19/14 02:00	
2014297009	PALMER, IV, COBA	10/24/14 08:02	10/28/14 11:30	
2014266033	PALMER, IV, COBA	09/23/14 12:36	09/26/14 11:30	
2013092044	PALMER, IV, COBA	04/02/13 15:59	04/05/13 05:30	
2012198050	PALMER, IV, COBA	07/16/12 22:09	07/18/12 19:23	
2009314058	PALMER, JR, COBA	11/10/09 15:58	09/28/10 08:00	
2009280044	PALMER, IV, COBA	10/07/09 15:01	10/07/09 18:00	
2009149012	PALMER, IV, COBA	05/29/09 01:34	06/04/09 10:30	
2009002040	PALMER, IV, COBA	01/02/09 14:30	05/03/09 08:00	
2008340063	PALMER, JR, COBA	12/05/08 15:06	12/10/08 23:59	
2008150034	PALMER, JR, COBA	05/29/08 11:52	07/31/08 19:10	

Select

12 rows retrieved.

APPENDIX “B”

File Edit Data Window View Help



PALMER, IV, COBA - Booking #2014266033

09/23/14 13:01 ▲ Booking | Charges | DJC Cases |

2014266033 ▼



PALMER, IV, COBA ▲
 Booking Id: 2014266033
 Dob: 10/05/1989 ≡
 Cell: NIC ▼

Referral Date	Cause #	Defendant	Pros Case #	Booking ID	Jurisdiction
09/24/2014	14-007955	PALMER, IV, COBA	19412	2014266033	SUP

APPENDIX “C”

File Edit Data Window View Help



PALMER, IV, COBA - Booking #2014297009

10/24/14 08:20 ▲

Booking | Charges | DJC Cases |

2014297009 ▼

Referral Date	Cause #	Defendant	Pros Case #	Booking ID	Jurisdiction
09/24/2014	14-03795-5	PALMER, IV, COBA	2014297009	2014297009	SUG

Print Screen



PALMER, IV, COBA ▲

Booking Id: 2014297009

Dob: 10/05/1989 ≡

Cell: NIC ▼

APPENDIX “D”

File Edit Data Window View Help



PALMER, IV, COBA - Booking #2014318030

11/14/14 17:07 ▲ Booking | Charges | OJC Cases |

2014318030 ▼



Referral Date	Cause #	Defendant	Pros Case #	Booking ID	Jurisdiction
03/15/2014	126003022	PALMER, IV, COBA	201422078	2014318030	PD
11/17/2014	14-1-04571-1	PALMER, IV, COBA	201422078	2014318030	SUP

PALMER, IV, COBA ▲

Booking Id: 2014318030

Dob: 10/05/1989 ≡

Cell: NIC ▼

APPENDIX “E”

File Edit Data Window View Help



PALMER, JR, COBA - Booking #2014328030

11/24/14 14:28 Booking Charges OJC Cases

2014328030



Print Screen

PALMER, JR, COBA

Booking Id: 2014328030

Dob: 10/05/1989

Cell: NIC

Referral Date	Cause #	Defendant	Pros Case #	Booking ID	Jurisdiction
09/24/2014	14-1-03795-5	PALMER, JR, COBA	201418442	2014328030	SUP
11/17/2014	14-1-04571-1	PALMER, JR, COBA	201422078	2014328030	SUP
11/25/2014	14-1-04764-1	PALMER, JR, COBA	201422828	2014328030	SUP

PIERCE COUNTY PROSECUTOR

February 04, 2016 - 9:56 AM

Transmittal Letter

Document Uploaded: 4-prp2-483238-Response.pdf

Case Name: In re the PRP of: Coba Palmer, Jr.

Court of Appeals Case Number: 48323-8

Is this a Personal Restraint Petition? ☒ Yes ☐ No

The document being Filed is:

Designation of Clerk's Papers

Supplemental Designation of Clerk's Papers

Statement of Arrangements

Motion: _____

Answer/Reply to Motion: _____

Brief: _____

Statement of Additional Authorities

Cost Bill

Objection to Cost Bill

Affidavit

Letter

Copy of Verbatim Report of Proceedings - No. of Volumes: _____

Hearing Date(s): _____

Personal Restraint Petition (PRP)

☒ Response to Personal Restraint Petition

Reply to Response to Personal Restraint Petition

Petition for Review (PRV)

Other: _____

Comments:

No Comments were entered.

Sender Name: Heather M Johnson - Email: hjohns2@co.pierce.wa.us

A copy of this document has been emailed to the following addresses:

backlundmistry@gmail.com